



# **SUPPLEMENTARY AGENDA**

**Ordinary meeting of the**

**Nelson City Council**

**Thursday 27 June 2019  
Commencing at 9.00a.m.  
Council Chamber  
Civic House  
110 Trafalgar Street, Nelson**

**Pat Dougherty  
Chief Executive**

Membership: Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Mel Courtney, Bill Dahlberg, Kate Fulton, Matt Lawrey, Paul Matheson, Brian McGurk, Gaile Noonan, Mike Rutledge, Tim Skinner and Stuart Walker

Quorum: 7

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

## **5. Confirmation of Minutes - Council 4 June 2019**

Document number M4261

Recommendation

***That the Council***

- 1. Confirms the minutes of the meeting of Council, held on 4 June 2019, as a true and accurate record.***



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## Minutes of a meeting of the Nelson City Council

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

**On Tuesday 4 June 2019, commencing at 9.05a.m. - to deliberate on Submissions to the Draft Annual Plan 2019/20, including Community Housing**

**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), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald) and Governance Adviser (E Stephenson)

**Apologies :** Councillor P Matheson for lateness.

### Opening Prayer

Councillor Skinner gave the opening prayer.

### 1. Apologies

Resolved CL/2019/074

***That the Council***

- 1. Receives and accepts the apologies from Councillor Matheson for lateness.***

Her Worship the Mayor/Noonan

Carried

### 2. Confirmation of Order of Business

Discussion took place on the use of cell phones during meetings. Members were reminded that under Standing Order 18.11, electronic

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devices could only be used to advance the business of the meeting and that personal use may only occur at the discretion of the Chair.

Her Worship the Mayor noted that, due to the public holiday, there had been less time than usual to consider the agenda, and suggested an adjournment to allow members sufficient time to do so.

A request was made for the minutes of the 16 May 2019 Extraordinary Council meeting to be provided, as they related to the decisions being made.

Resolved CL/2019/075

***That the Council***

- 1. Adjourns the meeting until 11.00a.m.***

Noonan/Skinner

Carried

The meeting was adjourned at 9.24a.m. and reconvened at 11.03a.m. Councillor Skinner was not present.

**3. Interests**

During the afternoon session of the meeting, Councillor Matheson declared an interest in the Smokefree Aotearoa 2025 Project submission.

**4. Public Forum**

There was no public forum.

**5. Confirmation of Minutes**

14-16 May 2019

Document number R10253, agenda pages 5 - 36 refer.

An correction to paragraph 5.78 of the minutes, amending the reference to Buckland carpark to Buxton carpark.

Resolved CL/2019/076

***That the Council***

- 1. Confirms the minutes of the meeting of Council to hear submissions to the draft Annual Plan 2019-2020, including Community Housing, and to hear submissions to the Wakatu Square Potential Sale of Land for Commercial Use Proposal, held on 14 – 16 May 2019, as a true and correct record.***

Her Worship the Mayor/Lawrey

Carried

## 6. Mayor's Report

Her Worship the Mayor clarified that Annual Plan recommendations would initially be agreed 'in principle', and then confirmed at the end of the meeting.

The Mayor noted Farmers' decision to pull out of the Wakatu Square proposed development, but said Farmers wished to remain in Nelson. She expressed disappointment for Cephass Ltd and said that Council's Chief Executive, Pat Dougherty, was engaging with Cephass Ltd on next steps.

In response to a question regarding requirements for further consultation if another proposal was considered, Group Manager Strategy and Communications, Nicky McDonald, said that it would depend on the nature of the proposal and how much time had elapsed.

Questions were asked regarding the amount of resource used to progress the Cephass project and how to avoid a repeat situation in the future. Her Worship the Mayor reiterated Council's unanimous support for consulting on the proposal. She stressed that it was a different process to private developments, and that officers had progressed the proposal constructively. Mr Dougherty explained that the challenge Cephass faced was trying to offer Farmers a lease on land it did not own, and reiterated that Council had done everything it could.

Attendance: Councillor Skinner returned to the meeting at 11.20a.m.

Further discussion took place regarding the future of Farmers in Nelson, appropriate public consultation, the challenges of being a public entity and the provision of apartment living in that area.

Strategic Property Advisor, Antony Hobbs, answered questions relating to the process and communications relating to it.

Attendance: Councillor Fulton left the meeting from 11.29a.m. until 11.31a.m.

Further discussion took place regarding possible misconceptions of a mall and costs incurred in staff time. It was reiterated that this was work undertaken as the result of a Council decision and that officers were concurrently involved in several other projects.

Resolved CL/2019/077

### ***That the Council***

#### ***1. Receives the Mayor's Report.***

Her Worship the Mayor/Noonan

Carried

## 7. Deliberations on Annual Plan Consultation Document 2019/20

Document number R10127, agenda pages 37 - 149 refer.

Group Manager Corporate Services, Nikki Harrison, provided financial context-setting information regarding the rates cap of 4.3% and the use of \$254,000 of the Port special dividend.

Questions were asked and discussion took place regarding the use of the Port special dividend, the consultation document, debt reduction, operational costs and net current debt. In response to a question, it was noted that there was a submission from Lindsay Wood on the use of the Port special dividend for climate change.

Further discussion took place regarding use of the Port special dividend contrary to policy, public consultation on climate change and staying under the rates cap.

Attendance: Councillor Matheson entered the meeting at 11.50a.m.

In response to a question regarding legal advice to Council on the climate change emergency declaration process, it was noted that the public would need to be excluded if there was any discussion on this matter, to maintain legal professional privilege.

## 8. Exclusion of the Public

Resolved CL/2019/078

### ***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/Courtney

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	Consideration of legal advice	Section 48(1)(a)	The withholding of the information is necessary:

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Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<b>pertaining to the process for declaring a climate change emergency</b>	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>

The meeting went into public excluded session at 12.14p.m. and resumed in public session at 12.33p.m.

The meeting was adjourned at 12.33p.m. and reconvened at 1.11p.m.

Councillors Fulton and Skinner were not present.

## 9. Confirmation of Minutes

16 May 2019 - Extraordinary Meeting

The minutes of the 16 May 2019 Extraordinary Council meeting were tabled.

Resolved CL/2019/079

***That the Council***

- Confirms the minutes of the Extraordinary Council meeting, held on 16 May 2019, as a true and correct record.***

Her Worship the Mayor/Courtney

Carried

**Attachments**

- A2202560 - Extraordinary Council Minutes 16 May 2019

## 10. Deliberations on Annual Plan Consultation Document 2019/20

Document number 10127

Resolved CL/2019/080

***That the Council***

- Receives the report **Deliberations on Annual Plan Consultation Document 2019/20 (R10127)** and its attachments (A2199462, A2198507, A2195528 and A2198769).***

Her Worship the Mayor/McGurk

Carried

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Discussion took place and questions were answered regarding the following activities, for which there were no officer recommendations:

- Transport
  - priority bus lanes
  - discounted or free bus services

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

- free NBus service
- free fares for NMIT students
- free fares for under 18 year olds

Attendance: Councillor Fulton returned to the meeting at 2.09p.m.

The meeting was adjourned at 2.11p.m. and reconvened at 2.17p.m. Councillors Skinner, Courtney, Lawrey, Fulton, Acland and Barker were not present. Councillors Barker, Courtney, Fulton and Skinner returned to the meeting at 2.19p.m., Councillor Lawrey at 2.21p.m. and Councillor Acland at 2.27p.m.

Discussion and questions continued regarding the following activities, for which there were no officer recommendations:

- Water Supply
  - future water supply
  - improvements to water outcomes
  - water budgets
- Wastewater
  - wastewater overflows
  - new public dump station
  - composting toilets and recycling of grey water
  - wastewater budget
- Stormwater and Flood Protection
  - support for ongoing investment in stormwater systems
  - rainwater retention tanks
  - support for 'non-engineering' solutions for managing stormwater, limiting hard surfaces and concreting of properties
  - stormwater flowing from Pearce Way onto Davis Drive
  - reduction in stormwater rates
- Solid Waste
  - rubbish
  - landfill charges



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Point of Order: Councillor Lawrey raised a point of order against Councillor Barker, that a statement regarding increased fees leading to fly tipping was misleading. The point of order was upheld.

- Social
  - Community Investment Fund
  - Royal Humane Society of New Zealand Inc

**Nelson Centre for Musical Arts (NCMA).**

Discussion took place regarding the NCMA. Group Manager Community Services, Roger Ball, answered questions regarding the amount of interim funding proposed, the review of the NCMA business model, sustainability, funding to achieve community outcomes, levels of charges, rapid growth and cashflow issues.

The meeting was adjourned at 3.41pm and reconvened at 3.55p.m.

It was agreed that this item would be left to lie until the meeting reconvened on Thursday 6 June 2019.

Discussion and questions continued regarding the following activities, for which there were no officer recommendations:

- Social
  - Mission to Seafarers Nelson
  - Social Enterprise Te Tau Ihu
  - Youth Facility in Stoke
  - Bridge Street Studios
  - Heritage Policy
  - Broadgreen House
  - Multicultural Nelson Tasman

**Welcoming Communities Initiative**

The importance of welcoming all cultures, especially seasonal workers, was noted.

***That the Council***

1. ***Notes that officers will work with potential partners to make an application to the Ministry of Business, Innovation and Employment (MBIE) for inclusion in the Welcoming Communities programme on the basis that no additional funding from Council will be included in the Annual Plan 2019/20; and***
2. ***Notes that officers will report back on progress to the Community Services Committee.***

Matheson/Noonan

Carried

### **Smokefree Aotearoa 2025 Project**

Councillor Matheson declared an interest in this item and left the meeting at 4.37p.m.

Discussion took place and questions were answered regarding which spaces were involved, capacity for enforcement, banning smoking in all public places, inclusion of vaping and development of policies. An additional clause supporting the Government's Smokefree 2025 Aotearoa goal was added to the motion.

Attendance: Councillor Noonan left the meeting from 4.46p.m, to 4.49p.m.

The Chief Executive, Pat Dougherty, noted the importance of the correct process to follow and the need for consultation to understand the views of people affected. Mr Dougherty recommended endorsing the Government's Smokefree goal in principle at this stage.

A suggestion was made to include the Cancer Society, and the appropriate wording was added to the motion.

#### ***That the Council***

- 1. Endorses in principle the government's Smokefree 2025 Aotearoa goal; and***
- 2. Approves in principle the development of policies that support central government's Smokefree Aotearoa 2025 objectives; and***
- 3. Approves in principle this work programme on the basis that Nelson Marlborough Health provide the resources required to undertake the policy programme and works in collaboration with the Cancer Society.***

Lawrey/Fulton

Carried

The motion was put and a division was called:

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

The motion was carried 12 - 0.

The meeting was adjourned at 5.00p.m. to be reconvened on Thursday 6 June 2019 at 9.00a.m.



## Minutes of a meeting of the Nelson City Council

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

**Reconvened on Thursday 6 June 2019, commencing at 9.09a.m. - to deliberate on Submissions to the Draft Annual Plan 2019/20, including Community Housing**

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), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald) and Governance Adviser (EJ Ruthven)

Apologies : Councillor L Acland (for lateness)

### 11. Apologies

Resolved CL/2019/078

#### ***That the Council***

- 1. Receives and accepts the apology from Councillor Acland for lateness.***

McGurk/Lawrey

Carried

### 12. Interests

During the morning session of the meeting, Councillor Matheson subsequently declared an interest in the submissions regarding Natureland.

### 13. Deliberations in Annual Plan Consultation Document 2019/20 (continued)

#### **Nelson Centre for Musical Arts (NCMA)**

The meeting returned to consider the officer recommendation regarding the NCMA. Group Manager Community Services, Roger Ball, provided an

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update regarding NCMA's financial position and the proposal for an external review of NCMA's business model, and answered questions.

A variety of views for and against the recommendation were stated. During discussion, councillors noted the importance of having clarity regarding NCMA's financial position and business model, to ensure the organisation could continue operations without having to resort to Council for additional funding, while also acknowledging the importance of NCMA's cultural contribution to the city over many years.

***That the Council***

- 1. Approves in principle an additional \$35,000 funding for the Nelson Centre for Musical Arts for the six months from 1 July 2019 to 31 December 2019 on the basis that the Nelson Centre for Musical Arts agrees to Council commissioning an external review of the Centre's business model, with a report to come back to Council by 30 November 2019.***

Her Worship the Mayor/Noonan

Carried

The motion was carried 9-3 on a show of hands.

Questions were answered regarding the following activities, for which there were no officer recommendations:

- Social
  - Santa Parade Trust

**Natureland**

Group Manager Community Services, Roger Ball, answered questions regarding the potential for Natureland to work together with Butterfly Forest or other interested parties.

Attendance: Councillor McGurk left the meeting from 9.43a.m. to 9.46a.m, and Councillor Acland joined the meeting at 9.47a.m.

Mr Ball answered further questions regarding the potential financial ramifications if Natureland Trust chose to close its operations. It was emphasised that Natureland Trust's position, if it were to close its operations, would be to prioritise animal welfare and wind the Trust down in an orderly manner.

He answered further questions regarding the financial implications of the officer recommendation for funding of \$248,000 for 2019/20, as against the funding provided in the Long Term Plan 2018-2028 for 2019/20, of \$170,000.

There was a discussion regarding the deliverables in Council's contract with Natureland, and it was noted that each year's funding was dependent on contract performance being met. During discussion, it was further noted

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that the current operation of Natureland as a charitable trust was different from the business models of potential partner organisations, and these aspects would need to be considered should Natureland partner with another organisation for the future. Should Natureland Trust decide to close its operations, a further report would come to Council to consider the next steps. During discussion, it was noted that the Long Term Plan 2018-2028 had indicated a drop in funding to \$170,000 from 2019/20 onwards.

Point of Order: A point of order was raised by Her Worship the Mayor against Councillor Acland, regarding a statement that was disrespectful. Councillor Acland withdrew the statement and apologised.

The meeting adjourned from 10.16a.m. to 10.31a.m, during which time Councillor Matheson left the meeting.

On reconvening the meeting, Her Worship the Mayor advised that Councillor Matheson had subsequently declared an interest in a submission relating to Natureland, in that he had recently been elected as Chairperson of the Tahunanui Business Association, which supported increased funding for Natureland.

Point of Order: A point of order was raised by Councillor Rutledge against Councillor Acland, in that a statement that Natureland Trust being established as a charitable trust at Council's suggestion was misleading. The point of order was upheld.

Her Worship the Mayor, seconded by Councillor Walker, moved a motion to confirm funding for Natureland Trust for 2019/20 as per the funding set out in the Long Term Plan 2018-2028, adjusted upwards by the Consumer Price Index.

*That the Council*

1. Approves in principle funding for Natureland Trust for 2019/20 of \$174,000; and
2. Requests that the Natureland Trust explore opportunities with other parties to strengthen the Trust's business model and achieve delivery within the Long Term 2018-28 budgets.

Members debated the motion. During debate, views were expressed for and against the funding level in the motion, as against the funding level of \$248,000 for 2019/20 as expressed in the officer recommendation. Community support for Natureland, and submissions in favour of increasing funding to \$248,000 were also noted.

Attendance: Councillor Dahlberg left the meeting from 11.06a.m. to 11.08a.m.

***That the Council***

- 1. Approves in principle funding for Natureland Trust for 2019/20 of \$174,000; and**

**2. *Requests that the Natureland Trust explore opportunities with other parties to strengthen the Trust's business model and achieve delivery within the Long Term 2018-28 budgets.***

Her Worship the Mayor/Walker

Carried

The motion was put and a division was called:

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

The motion was carried 9 – 3.

Councillor Dahlberg requested that his preference for funding of \$248,000 be recorded in the minutes.

Attendance: Councillor Matheson returned to the meeting at 11.18a.m, and Councillor McGurk left the meeting from 11.18a.m. to 11.20a.m.

**Brook Waimarama Sanctuary Trust**

Group Manager Strategy and Communications, Nicky McDonald, answered questions regarding the effect for the Brook Waimarama Sanctuary Trust (the Sanctuary) of delays in the Brook Reserve Management Plan process, the feasibility study's projected visitor income, and the current opening hours of the Sanctuary and whether these could be increased.

Her Worship the Mayor foreshadowed a motion to increase the Sanctuary's funding by \$50,000 to a total of \$200,000 for 2019/20.

Ms McDonald answered further questions regarding next steps in the Brook Reserve Management Plan process, the potential levels of funding required to achieve longer opening hours or free access for Nelson-Tasman residents, potential developments by the Sanctuary in the reserve area, and the manner in which legal proceedings and slip remediation had affected the Sanctuary's financial position.

Attendance:

Councillor Courtney left the meeting from 11.36a.m to 11.40a.m., Councillor Dahlberg left the meeting from 11.37a.m to 11.40a.m. and Councillor Noonan left the meeting from 11.37a.m. to 11.39a.m. Councillor Acland left the meeting at 11.43a.m.

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Mc McDonald answered further questions regarding the Sanctuary's resources, its ability to focus on conservation work, and its ability to raise further funds and sponsorship.

Attendance: The meeting adjourned from 11.48a.m to 11.59a.m, during which time Councillor Acland returned to the meeting.

Councillor Lawrey, seconded by Her Worship the Mayor moved:

*That the Council*

1. *Approves in principle provision of an increase in funding of \$50,000 for 2019/20 to the Brook Waimarama Sanctuary Trust, subject to:*
  - *The Brook Waimarama Sanctuary Trust engaging with the Department of Conservation regarding increased conservation objectives;*
  - *Increased public access through extension of current opening hours;*
  - *An update from the Brook Waimarama Sanctuary Trust on their business development plans.*

Members discussed the motion. During discussion, concerns were raised as to whether the Sanctuary was able to deliver increased conservation objectives, and whether wording of the motion was specific enough to capture Council's expectations should increased funding be provided to the Sanctuary.

With the agreement of the meeting, the wording of the first bullet point was altered to:

- *The Brook Waimarama Sanctuary Trust engaging with the Department of Conservation regarding any potential to increase conservation objectives;*

Councillors discussed the motion, and views for and against an increase in funding for the Sanctuary were expressed. During discussion, Regional Council biodiversity responsibilities were noted, and suggestions made that biodiversity responsibilities should be funded through the Nelson Nature programme.

Point of Order: A point of order was raised by Councillor Skinner against Councillor Rutledge, that a disrespectful statement had been made. The point of order was upheld. Councillor Rutledge withdrew the statement and apologised.

Point of Order: A point of order was raised by Councillor Rutledge against Councillor Lawrey, that a statement that the Nelson Nature programme hinged on the Sanctuary's debt levels was misleading. The point of order was upheld.

The motion was put and a division was called.

*That the Council*

1. *Approves in principle provision of an increase in funding of \$50,000 for 2019/20 to the Brook Waimarama Sanctuary Trust, subject to:*
  - *The Brook Waimarama Sanctuary Trust engaging with the Department of Conservation regarding any potential to increase conservation objectives;*
  - *Increased public access through extension of current opening hours;*
  - *An update from the Brook Waimarama Sanctuary Trust on their business development plans.*

The motion was put and a division was called:

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

The motion was lost 5 - 8.

Attendance: The meeting adjourned from 1.00p.m. to 1.28p.m., during which time Councillors Courtney, Lawrey, Noonan and Skinner left the meeting.

Attendance: Councillors Courtney, Lawrey, Skinner and Noonan returned to the meeting at 1.39p.m.

Councillor Matheson declared an interest in submissions relating to the Tahunanui Reserve Management Plan, and left the meeting at 1.39pm.

Discussion and questions continued regarding the Tahunanui Reserve Management Plan, for which there were no officer recommendations:

Attendance: Councillor Matheson returned to the meeting at 1.41p.m.

**Nelson Mountain Bike Club**

There was a discussion regarding whether membership of clubs or organisations with broad membership bases resulted in elected members having an interest when Council considered funding for such clubs or organisations, or whether the broad membership would result in elected members' interests being in common with the public.

Attendance: Councillors Lawrey and McGurk declared an interest in submissions regarding the Nelson Mountain Bike Club, and left the meeting at 1.48p.m.



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Manager Strategy, Mark Tregurtha, explained that there was an error in the officer recommendation, and it should be updated as follows:

*That the Council*

1. *Refers the Nelson Mountain Bike Club funding requests to the Event Fund Committee for consideration; and*
2. *Approves in principle unspent funding of up to **\$170,000** in 2018/19 **for the construction of trails in preparation** for the Enduro World Series in 2018/19 to be carried forward to 2019/20; and*
3. *Approves **in principle** the Event Fund overdraft limit with Council to be up to \$150,000 at 30 June 2021 and repaid by 30 June 2022, to allow underwriting of the support for the Enduro World Series, if required.*

Mr Tregurtha and Group Manager Corporate Services, Nikki Harrison, answered questions regarding the operation of the Events Fund over multi-year cycles, and the consequences for the Events Fund should new events requesting funding emerge over 2019/20, or should the Nelson Mountain Bike Club be unable to repay the underwritten amount.

Her Worship the Mayor, seconded by Councillor Noonan, moved the updated officer recommendation.

Property Parks and Facilities Asset Manager, Andrew Petheram, answered questions regarding the minimum requirements to host an Enduro World Series event.

***That the Council***

1. ***Refers the Nelson Mountain Bike Club funding requests to the Event Fund Committee for consideration; and***
2. ***Approves in principle unspent funding of up to **\$170,000** in 2018/19 for the construction of trails in preparation for the Enduro World Series in 2018/19 to be carried forward to 2019/20; and***
3. ***Approves in principle the Event Fund overdraft limit with Council to be up to **\$150,000** at 30 June 2021 and repaid by 30 June 2022, to allow underwriting of the support for the Enduro World Series, if required.***

Her Worship the Mayor/Noonan

Carried

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor (Chairperson)	Nil	Cr Lawrey (interest) Cr McGurk (interest)

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Cr Acland  
Cr Barker  
Cr Courtney  
Cr Dahlberg  
Cr Fulton  
Cr Matheson  
Cr Noonan  
Cr Rutledge  
Cr Skinner  
Cr Walker

The motion was carried 11 - 0.

**Koata Limited**

Property Parks and Facilities Asset Manager, Andrew Petheram, answered questions about the interface between Hira Forest and Council land, and the risk of the forest owner shutting the forest if access privileges were abused.

There was agreement that a Recreation Management Plan for the area was desirable, and a suggestion was made that a small amount of funding be included in the Annual Plan, to enable to project to start during 2019/20.

***That the Council***

- 1. Approves in principle that officers work with Koata Limited in 2019/20 on the scope of a Recreation Management Plan for Hira Forest and adjoining Council land, and that a contribution of \$10,000 is provided to Koata Limited to assist with this work, and the proposal be brought back to Council, with any additional funding required as part of the 2020/21 Annual Plan process.***

Her Worship the Mayor/Rutledge

Carried

Discussion and questions continued regarding the following activities, for which there were no officer recommendations:

- Parks and Active Recreation
  - Nelson Bays Football
  - Tasman Rugby Union and Nelson Bays Football
  - Disc golf course at Branford Park
- Economic
  - Uniquely Nelson Funding (no discussion)
  - Te Matau Trust (no discussion)
  - City Development
- Corporate
  - Council Performance (no discussion)
  - Civic House

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Attendance: Councillor Lawrey left the meeting from 2.19p.m. to 2.21p.m., and Councillor Acland left the meeting at 2.20p.m.

- Rates
  - Rates increases (no discussion)
  - Airbnb properties

Attendance: Councillor Acland returned to the meeting at 2.32p.m.

**Changes to Capital Expenditure**

The meeting considered line by line the changes to capital expenditure detailed in Attachment 4, and officers answered questions relating to:

- Corporate
  - Aerial Photography Programme (line 10)
  - E-Plan (line 13)
  - NMap upgrade (line 19)
  - Recording of Contracts Software (line 23)

Attendance: Councillor Matheson left the meeting from 2.39p.m to 2.44p.m., Councillor McGurk left the meeting from 2.40p.m. to 2.42p.m. and Councillor Acland left the meeting at 2.42p.m.

Further questions were answered in relation to the following items in attachment four:

- Parks and Active Recreation
  - Capital: Grampians (line 55)
  - Maungatapu to Coppermine Trail (line 58)

Attendance: Councillor Noonan left the meeting from 2.45p.m. to 2.48p.m.

There was a discussion regarding Poormans Walkway (Main Road-Neale Avenue) (line 61), during which it was noted that there was an increase of \$928,344.

Property Parks and Facilities Asset Manager, Andrew Petheram, answered questions regarding the recent increase in contract price as a result of design work uncovering instability in the bank, and restrictions in construction work, given the location in Poormans Stream. He said a report would be brought to Council to consider next steps in relation to this project. It was noted that any budget relating to this project would be considered as a provision in the Annual Plan until Council had considered the appropriate next steps.

The Chief Executive, Pat Dougherty, advised that there were several other capital projects that may carry additional capital costs, for which it would be prudent to make a provision in the Annual Plan, prior to relevant reports coming before Council, and it was suggested the meeting consider

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these items separately once the meeting had completed its consideration of attachment four.

The meeting continued consideration of attachment four, and questions were answered in relation to:

- Parks and Active Recreation
  - Public boat ramp improvements (line 83)
- Social
  - Elma Turner Library Extension/Relocation (line 94)

**Extension of Meeting Time**

CL/2019/079

***That the Council***

- 1. Extends the meeting time beyond six hours, pursuant to Standing Order 4.2.***

Walker/Barker

Carried

**Carparking Charges**

It was noted that the amount referenced in clause one of the officer recommendation should be \$50,000, rather than \$100,000, contingent on the Parking Meter Renewal project happening prior to January 2020.

***That the Council***

- 1. Notes that carparking income for 2019/20 is expected to be \$50,000 lower than originally budgeted; and***
- 2. Approves in principle the budgets for the final Annual Plan 2019/20 being adjusted to reflect the lower income; and***
- 3. Notes that officers will report to the Works and Infrastructure Committee on carparking policies in 2019/20 with further information and recommendations.***

Her Worship the Mayor/Matheson

Carried

**Awatea Pump Station**

***That the Council***

- 1. Notes that the Awatea pump station project requires further work to finalise the design and obtain resource consents; and***
- 2. Approves in principle that the 2019/20 Annual Plan budget be reduced by \$903,000 and that future years' budgets will be increased to balance this.***

Walker/McGurk

Carried

### **Nelson Regional Sewerage Business Unit**

#### ***That the Council***

- 1. Notes that the Nelson Regional Sewerage Business Unit investment income is \$90,000 lower and business unit charges to Council are \$140,000 higher than budgeted for in the Annual Plan Consultation Document, and that these factors are offset by higher commercial trade waste income of \$230,000.***

Walker/Skinner

Carried

### **Saxton Creek Upgrade (Main Road culvert to sea)**

Manager Utilities, David Light, answered questions regarding the proposed flood mapping updates as a result of updated national policy guidelines and the Nelson Plan process.

Attendance: Councillor Lawrey left the meeting at 3.20p.m.

#### ***That the Council***

- 1. Notes that the Saxton Creek Upgrade (Main Road culvert to sea) requires further work to finalise land owner and easement negotiations; and***
- 2. Approves in principle a reduction of \$850,000 in the 2019/20 budget for the Saxton Creek Upgrade (Main Road culvert to sea); and***
- 3. Approves in principle that \$300,000 of the reduction in expenditure is allocated to the Minor Flood Improvement account, and a further \$150,000 is allocated to the Inventory of Urban Streams.***

Walker/Dahlberg

Carried

### **Nayland/Galway Stormwater**

Attendance: Councillor Lawrey returned to the meeting at 3.26p.m.

#### ***That the Council***

- 1. Notes that the Wastney Terrace project requires further negotiations with property owners and construction is now planned to start in 2020/21; and***
- 2. Approves in principle that \$2019/20 budget for the Wastney Terrace Project is \$100,000 and the 2020/21 budget be considered as part of the 2020/21 Annual Plan; and***

- 3. Approves in principle that the 2019/20 Nayland/Galway stormwater budget is increased to \$716,000 as a result of higher than expected tenders.**

Walker/McGurk

Carried

### **Champion Road**

Manager Transport and Solid Waste, Marg Parfitt, answered questions regarding the Champion Road underpass project, and confirmed this would be project managed by Tasman District Council.

It was suggested that a provision be made for funding for this project, subject to Tasman District Council proceeding with the project and officers being satisfied with the design objectives.

### ***That the Council***

- 1. Approves in principle the provision of a maximum of \$470,000 as a grant payable to Tasman District Council for the Champion roundabout and underpass project as part of the 2019/20 Annual Plan, subject to Tasman District Council proceeding and officers being satisfied with the design objectives.**

McGurk/Matheson

Carried

### **Footpaths**

Manager Transport and Solid Waste, Marg Parfitt, answered questions regarding work completed on the footpaths project in the current financial year, resulting in a decrease in required budget for 2019/20.

### ***That the Council***

- 1. Notes that more new footpath work has been carried out in 2018/19 than previously forecast; and**
- 2. Approves in principle that the new footpath budget for 2019/20 is decreased from \$1.069 million to \$715,000.**

Walker/Noonan

Carried

Councillor Barker requested that his vote against the motion be recorded.

### **Westbrook Convergence Bridge**

### ***That the Council***

- 1. Approves in principle that Westbrook Convergence Bridge budget for the Annual Plan 2019/20 be decreased from \$398,000 to \$143,000.**

Skinner/Courtney

Carried

### **Bus Services**

It was noted that issues relating to public transport were complex, and dependent on several external parties. As a result, the meeting agreed that it would be preferable for this matter to progress through the Regional Transport Committee, rather than provision being made in the Annual Plan at this stage.

### **Greenmeadows Access Ramp**

Officers answered questions in relation to Greenmeadows Access Ramp, for which there were no officer recommendations:

### **Great Taste Trail – Tahunanui Beach to Airport**

#### ***That the Council***

- 1. Approves in principle the final Annual Plan 2019/20 budgets for the Great Taste Trail link - Tahunanui beach to airport, be reinstated from \$320,000 to \$610,000.***

Skinner/Dahlberg

Carried

### **Condition Assessments**

#### ***That the Council***

- 1. Approves in principle the carry forward of \$40,000 for Parks and Recreation condition assessments from 2018/19 to 2019/20.***

Her Worship the Mayor/Walker

Carried

### **Marina Hardstand**

Attendance: Councillor McGurk left the meeting from 3.40p.m. to 3.42p.m.

Property Parks and Facilities Asset Manager, Andrew Petheram, answered questions regarding delays in the project, including in the permit and consenting process, drainage and filtration systems required for the project, and the resulting effects of the delay on other marina projects.

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

Attendance: Councillor Acland returned to the meeting at 3.49p.m.

### **Council Facilities Event Fund**

Chief Executive, Pat Dougherty; Group Manager Community Services, Roger Ball, and Manager Strategy, Mark Tregurtha, answered questions regarding the various components of Council venue hire, the types of

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requests for discounts that were made, and the management of Council venues.

Attendance: Councillor Barker left the meeting from 3.54p.m. to 3.55p.m.

It was noted that a workshop would be held in the future considering Council events and venues, including Council's marketing strategy and current contract arrangements for the management of venues. It was further noted that, should a Council Facilities Event Fund be established, a future report would come to Council clarifying criteria for applications.

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

**Marina Hardstand (continued)**

***That the Council***

1. ***Approves in principle the carry forward of \$65,000 for the marina hardstand project from 2018/19 to 2019/20.***

Matheson/Skinner

Carried

**Nelson Regional Development Agency Funding**

***That the Council***

1. ***Approves in principle that a review of the Nelson Regional Development Agency services funded or purchased by Council will be undertaken prior to the next Statement of Expectation being issued and that the findings of the review to be reported to the Governance Committee.***

Barker/Matheson

Carried

Attendance: The meeting adjourned from 4.12p.m. to 4.32p.m.

**Council Facilities Event Fund (continued)**

Councillor Barker, seconded by Councillor Skinner moved a motion:

***That the Council***

1. ***Approves in principle the establishment of a Council facilities event hire fund of \$30,000; and***
2. ***Directs officers to prepare a report to the Community Services Committee on appropriate criteria and process to administer and access the fund; and***
3. ***Notes that a report on the outcomes of the fund will be reported back to Council as part of the development of the 2020/21 budgets.***



Following discussion, and with the agreement of the meeting, the reference to the Community Services Committee in clause two was change to Council.

Members discussed the types of events for which organisers might apply to the fund and the manner in which the fund may allow greater transparency of the discounts being given for use of Council venues.

***That the Council***

- 1. Approves in principle the establishment of a Council facilities event hire fund of \$30,000; and**
- 2. Directs officers to prepare a report to Council on appropriate criteria and process to administer and access the fund; and**
- 3. Notes that a report on the outcomes of the fund will be reported back to Council as part of the development of the 2020/21 budgets.**

Barker/Skinner

Carried

**Changes to Capital Expenditure (continued) – Pet Cremations Activity Review**

It was noted that the meeting would need to move into public excluded session in order to discuss this item.

**14. Exclusion of the Public**

Resolved CL/2019/080

***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/Matheson

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)
<b>1</b>	<b>Pet Cremations Activity Review</b>	Section 48(1)(a)	The withholding of the information is necessary:

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		The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>
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The meeting went into public excluded session at 4.51p.m. and resumed in public session at 5.12p.m.

## 15. Deliberations on Annual Plan Consultation Document 2019/20 (continued)

### Changes to Capital Expenditure (continued) – Poormans Stream

Manager Capital Projects, Lois Plum, and Property Parks and Facilities Asset Manager, Andrew Petheram, answered questions regarding the original budget for the Poormans Stream project, budget changes following detailed design and peer review, design aspects of the project and whether this project formed a transport link that could potentially attract NZTA funding.

During discussion it was noted that if provision for funding the project was made in the Annual Plan 2019/20, the project itself would still be subject to confirmation by the Sports and Recreation Committee.

#### ***That the Council***

- 1. Approves in principle an increase in budget to construct the Poormans Walkway (Main Road Stoke to Neale Avenue) to \$1.2M spent over two financial years, 2019/20 \$800,000 and 2020/21 \$400,000 (in addition to the forecast \$118,000 in the 2018/19 year), subject to confirmation of the Sports and Recreation Committee.***

Her Worship the Mayor/Lawrey

Carried

### Changes to Capital Expenditure (continued) – Upper Trafalgar Street

Chief Executive, Pat Dougherty, advised that a report would be brought to the next Council meeting, to consider whether to put out for public consultation a proposal to turn Upper Trafalgar Street into a pedestrian precinct. He said that, if the proposal were to be approved following public consultation, funding would be required for capital works necessary to complete the project.

#### ***That the Council***

- 1. Approves provision of \$250,000 additional capital expenditure to undertake necessary work required should Upper Trafalgar Street be declared a pedestrian precinct.***

Lawrey/Courtney

Carried

**Changes to Capital Expenditure (continued) – Parking Meter Renewal**

Chief Executive, Pat Dougherty, answered questions regarding the parking meter renewal project, and advised bringing funding for this project forward would enable the project to proceed further in 2019/20.

***That the Council***

- 1. Approves bringing forward \$287,000 from 2020/21 to 2019/20 to renew parking meters at a total estimated budget for 2019/20 of \$867,000, noting that a report will be brought to Council prior to purchase.***

Rutledge/Dahlberg.

Carried

**Changes to Capital Expenditure (continued) – Stoke Library**

Group Manager Community Services, Roger Ball, advised that Council was awaiting the outcome of the current investigation into the Stoke Library building, but that it would be prudent to allocate funding in the Annual plan 2019/20 for any required remediation work.

***That the Council***

- 1. Approves provision for up to an additional \$100,000 in the 2019/20 year for the Stoke Library remediation.***

Noonan/Courtney

Carried

The meeting adjourned at 5.56p.m., to be reconvened on Friday 7 June at 2.00p.m.



## Minutes of a meeting of the Nelson City Council

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

**Reconvened on Friday 7 June 2019, commencing at 2.04p.m. to deliberate on Submissions to the Draft Annual Plan 2019/20, including Community Housing**

**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), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (EJ Ruthven)

**Apologies :** Councillor L Acland (for lateness)

### 16. Apologies

Resolved CL/2019/078

#### ***That the Council***

- 1. Receives and accepts the apologies from Councillor Acland for lateness.***

Her Worship the Mayor/Courtney

Carried

### 17. Interests

During the afternoon session of the meeting, Councillor McGurk subsequently declared an interest with the item Community Housing Deliberations Report.

### 18. Late Item: Cremations Activity - Annual Plan Deliberations

Her Worship the Mayor advised of a late public excluded report titled Cremations Activity - Annual Plan Deliberations, to be considered as part

of the meeting, and explained a procedural resolution to consider the item was required.

Resolved CL/2019/079

***That the Council***

- 1. Considers the public excluded item regarding Cremations Activity – Annual Plan Deliberations at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable Council to complete its deliberations on the Annual Plan 2019/20.***

Her Worship the Mayor/Walker

Carried

**19. Exclusion of the Public**

Resolved CL/2019/080

***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:***

Barker/Her Worship the Mayor

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	<b>Cremations Activity – Annual Plan Deliberations</b>	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"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>

The meeting went into public excluded session at 2.12p.m. and resumed in public session at 3.04p.m.

**20. Deliberations on Annual Plan Consultation Document 2019/20 (continued)**

**Changes to Capital Expenditure (continued)**

It was noted that the meeting had yesterday made several resolutions in principle regarding changes to the capital expenditure programme.

***That the Council***

- 1. Approves in principle the changes to the 2019/20 capital expenditure budget, as set out in Attachment 4 (A2198769), and amended during the deliberations meeting on the following projects:***

- ***Poormans Walkway***
- ***Upper Trafalgar Street***
- ***Parking Meter Renewal***
- ***Stoke Library Remediation.***

Her Worship the Mayor/McGurk

Carried

**21. Community Housing Deliberations Report**

Document number R10151, agenda pages 150 – 174 refer.

Attendance: Councillor McGurk left the meeting at 3.18p.m.

Councillor Rutledge, seconded by Councillor Noonan, moved the recommendation in the officer's report.

Group Manager Strategy and Communications, Nicky McDonald, presented the report. She noted that an earlier officer response had referred to 81 submitters on community housing, however the correct number was 79 as referenced in the report.

Ms McDonald answered questions regarding security of housing for current tenants and the protection of tenant wellbeing, should Council decide to divest its community housing stock, the potential for rent rises, whether community housing remained in Council ownership or was divested to a government organisation or a Community Housing Provider, and the experiences of other local authorities around the country that had divested their community housing stock.

Group manager Corporate Services, Nikki Harrison, answered further questions regarding the value of Council's current community housing stock, and the financial impact of deferred maintenance for future years.

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It was emphasised that any future discussions regarding the sale price, should Council decide to divest its community housing stock, would need to be held in public excluded session.

Attendance: Councillor Dahlberg left the meeting from 3.28p.m. to 3.30p.m.

There was a discussion regarding a potential government organisation or Community Housing Provider who may be interested in purchasing Council's community housing stock. Ms McDonald explained that Council would have an opportunity to develop a negotiating brief to guide negotiations for sale and purchase, before deciding to sell to one or more parties.

Attendance: Councillors Matheson and Walker left the meeting from 3.44p.m. to 3.46p.m.

Ms McDonald answered further questions regarding the legal implications of gifting large-value assets, the financial implication for Council of not divesting its community housing stock, mechanisms for protecting the position of current tenants, the potential for increasing the overall community housing stock in Nelson as a result of divestment, the potential change in parameters regarding tenant criteria if Council chose to divest its community housing stock, and the intention to use sale proceeds to invest in housing issues.

There was a further discussion regarding the community benefit derived from having community housing available in the Nelson region.

Her Worship the Mayor advised that Councillor McGurk had subsequently indicated he had an interest in the item Community Housing Deliberations Report, and had left the meeting for the duration of this item.

Resolved CL/2019/081

***That the Council***

- 1. Receives the report Community Housing Deliberations Report (R10151) and its attachment (A2198830); and***
- 2. Approves the divestment of Council's community housing assets, conditional on a sale and purchase agreement (or agreements) which achieves, in Council's assessment, an appropriate level of protection for both tenant wellbeing and ratepayer interests; and***
- 3. Directs the Chief Executive to develop a negotiating brief for approval by Council before discussions with interested parties commence; and***
- 4. Notes that the key elements of the sale and purchase agreement will be approved by Council, taking into***

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***account all of the input and issues raised by submitters, before any divestment occurs; and***

- 5. Requests officers to ensure tenants are kept appropriately informed of the process throughout; and***
- 6. Approves the preparation of a subsequent amendment to the Long Term Plan 2018-28 for Audit New Zealand approval; and***
- 7. Notes that the amended Long Term Plan 2018-28 will be brought to Council on 27 June 2019 for adoption.***

Rutledge/Noonan

Carried

The motion was put and a division was called:

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

The motion was carried 10 - 1.

The meeting adjourned from 4.10p.m. to 4.36p.m, during which time Councillor McGurk returned to the meeting.

## **22. Deliberations on Annual Plan Consultation Document 2019/20 (continued)**

### **Climate Change – Next Steps and Future Council Action**

Her Worship the Mayor advised that the original officer recommendation had anticipated funding \$254,500 for climate change initiatives from the Port special dividend, however it was now possible to fund this amount from general rates. She explained that the updated recommendation instead proposed transferring \$500,000 of the 2018/19 Port special dividend to a reserve fund for possible climate change initiatives.

Manager Strategy, Mark Tregurtha, explained that using \$500,000 of the Port special dividend required Council to agree to an exception to its Investment Policy, however no change to the Investment Policy was required.



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Mr Tregurtha and Chief Executive, Pat Dougherty, answered questions regarding Council's current work programme regarding climate change activities, the proposed utilisation of the \$254,500 of rates funding included in the recommendation, the significance of the decision, and whether further public consultation was required prior to making a decision on the issue.

Group Manager Corporate Services, Nikki Harrison, confirmed that using the Port special dividend as a reserve fund would be appropriate from Audit New Zealand's perspective, and answered further questions regarding use of the Port special dividend to repay debt in the meantime, unless or until it was required to be drawn against for climate change initiatives, and the cost to Council of drawing against the Port special dividend.

Her Worship the Mayor, seconded by Councillor McGurk, moved an updated recommendation:

*That the Council*

1. *Notes that Council has declared a Climate Emergency and has a range of climate change work already in progress; and*
2. *Agrees that the current and proposed work programme will be supported through engagement with the community;*
3. *Approves a total of \$254,500 for climate change initiatives from general rates, comprised of: establishment of a climate forum and climate taskforce (\$30,000); appointment of a new "Climate Champion" (\$124,500) and the \$100,000 specified in the Annual Plan 2019/20 consultation document; and*
4. *Approves transfer of \$500,000 of the 2018/19 Port Nelson Ltd special dividend to a reserve for possible climate change initiatives; and*
5. *Notes that the decision to hold in reserve \$500,000 of the 2018/19 special dividend towards climate change initiatives is inconsistent with Council's Investment Policy which is to apply these dividends to reducing debt; and*
6. *Notes that the reason for this inconsistency is that Council intends to provide for climate change initiatives that may arise outside of the Annual Plan/Long Term Plan processes that will require funding, and that the Port Special Dividend is an appropriate funding source for these actions; and*
7. *Agrees that this is an exception to the Investment Policy, and no change to the Investment Policy is proposed as a result of this decision;*
8. *Agrees that the proposed actions funded from the reserve will be subject to approval by Council; and*

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9. *Notes that the approved funding for climate change initiatives will enable preparatory work that supports meaningful community engagement and ongoing Council decision-making on climate change.*

There was a discussion regarding whether any members had a conflict of interest in relation to future Council action on climate change. It was noted that that climate change had been identified as an international issue, and that the key question for members to consider was whether they could approach Council decision-making on this issue with an open mind.

Attendance: Councillor Noonan left the meeting from 5.27p.m. to 5.29p.m.

During discussion, Mr Dougherty confirmed that further detail would be provided regarding the establishment of a climate forum, climate taskforce and Climate Champion, and that guidelines regarding the use of the \$500,000 reserve fund from the Port special dividend would be developed and brought back to Council for confirmation.

Attendance: Councillor Acland joined the meeting at 5.42p.m.

Point of Order: A point of order was raised by her Worship the Mayor against Councillor Rutledge, that an offensive statement had been made. The point of order was upheld. Councillor Rutledge withdrew the statement and apologised.

Councillors discussed the motion, and a variety of views for and against the motion were expressed.

***That the Council***

1. ***Notes that Council has declared a Climate Emergency and has a range of climate change work already in progress; and***
2. ***Agrees that the current and proposed work programme will be supported through engagement with the community;***
3. ***Approves a total of \$254,500 for climate change initiatives from general rates, comprised of: establishment of a climate forum and climate taskforce (\$30,000); appointment of a new "Climate Champion" (\$124,500) and the \$100,000 specified in the Annual Plan 2019/20 consultation document; and***
4. ***Approves transfer of \$500,000 of the 2018/19 Port Nelson Ltd special dividend to a reserve for possible climate change initiatives; and***
5. ***Notes that the decision to hold in reserve \$500,000 of the 2018/19 special dividend towards climate change initiatives is inconsistent with Council's Investment Policy which is to apply these dividends to reducing debt; and***

- 6. Notes that the reason for this inconsistency is that Council intends to provide for climate change initiatives that may arise outside of the Annual Plan/Long Term Plan processes that will require funding, and that the Port Special Dividend is an appropriate funding source for these actions; and**
- 7. Agrees that this is an exception to the Investment Policy, and no change to the Investment Policy is proposed as a result of this decision;**
- 8. Agrees that the proposed actions funded from the reserve will be subject to approval by Council; and**
- 9. Notes that the approved funding for climate change initiatives will enable preparatory work that supports meaningful community engagement and ongoing Council decision-making on climate change.**

Her Worship the Mayor/McGurk

Carried

The motion was put and a division was called:

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

The motion was carried 7 - 6.

The meeting adjourned from 6.23p.m. to 6.29p.m, during which time Councillors Dahlberg and Noonan left the meeting.

#### **Spreadsheet of Staff Comments and Proposed Responses to Submitters**

The officer comments in Attachment One, draft responses to submissions, were noted.

Her Worship the Mayor advised that Manager Strategy, Mark Tregurtha, would work together with Committee Chairs to finalise responses to submitters.

#### **Formalising Resolutions passed 'in principle'**

Her Worship the Mayor explained that the resolutions passed 'in principle' during the deliberations in the Annual Plan Consultation Document 2019/20 were now required to be formally passed.

Resolved CL/2019/082

***That the Council***

1. ***Receives the report Deliberations on Annual Plan Consultation Document 2019/20 (R10127) and its attachments (A2199462, A2198507, A2195528 and A2198769); and***

Welcoming Communities Initiative

2. ***Notes that officers will work with potential partners to make an application to the Ministry of Business, Innovation and Employment (MBIE) for inclusion in the Welcoming Communities programme on the basis that no additional funding from Council will be included in the Annual Plan 2019/20; and***

3. ***Notes that officers will report back on progress to the Community Services Committee; and***

Smokefree Aotearoa 2025 Project

4. ***Endorses in principle the Government's Smokefree 2025 Aotearoa goal; and***

5. ***Approves in principle the development of policies that support central government's Smokefree Aotearoa 2025 objectives; and***

6. ***Approves in principle this work programme on the basis that Nelson Marlborough Health provide the resources required to undertake the policy programme and works in collaboration with the Cancer Society.***

Nelson Centre for Musical Arts

7. ***Approves an additional \$35,000 funding for the Nelson Centre for Musical Arts for the six months from 1 July 2019 to 31 December 2019 on the basis that the Nelson Centre for Musical Arts agrees to Council commissioning an external review of the Centre's business model, with a report to come back to Council by 30 November 2019; and***

Natureland Trust

8. ***Approves funding for Natureland Trust for 2019/20 of \$174,000; and***

9. ***Requests that the Natureland Trust explore opportunities with other parties to strengthen the***

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***Trust's business model and achieve delivery within the Long Term 2018-28 budgets; and***

Nelson Mountain Bike Club

- 10. Refers the Nelson Mountain Bike Club funding requests to the Event Fund Committee for consideration; and***
- 11. Approves unspent funding of up to \$170,000 in 2018/19 for the construction of trails in preparation for the Enduro World Series in 2018/19 to be carried forward to 2019/20; and***
- 12. Approves the Event Fund overdraft limit with Council to be up to \$150,000 at 30/6/21 and repaid by 30/6/22 to allow underwriting of the support for the Enduro World Series if required; and***

Koata Limited

- 13. Approves that officers work with Koata Limited in 2019/20 on the scope of a Recreation Management Plan for Hira Forest and adjoining Council land, and that a contribution of \$10,000 is provided to Koata Limited to assist with this work, and the proposal be brought back to Council, with any additional funding required as part of the 2020/21 Annual Plan process; and***

Carparking Charges

- 14. Notes that carparking income for 2019/20 is expected to be \$50,000 lower than originally budgeted; and ; and***
- 15. Approves the budgets for the final Annual Plan 2019/20 being adjusted to reflect the lower income; and***
- 16. Notes that officers will report to the Works and Infrastructure Committee on carparking policies in 2019/20 with further information and recommendations; and***

Awatea Pump Station

- 17. Notes that the Awatea pump station project requires further work to finalise the design and obtain resource consents; and***
- 18. Approves that the 2019/20 Annual Plan budget be reduced by \$903,000 and that future years' budgets will be increased to balance this; and***

Nelson Regional Sewerage Business Unit

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- 19. Notes that the Nelson Regional Sewerage Business Unit investment income is \$90,000 lower and business unit charges to Council are \$140,000 higher than budgeted for in the Annual Plan Consultation Document, and that these factors are offset by higher commercial trade waste income of \$230,000; and**

Saxton Creek Upgrade

- 20. Notes that the Saxton Creek Upgrade (Main Road culvert to sea) requires further work to finalise land owner and easement negotiations; and**

- 21. Approves a reduction of \$850,000 in the 2019/20 budget for the Saxton Creek Upgrade (Main Road culvert to sea); and**

- 22. Approves that \$300,000 of the reduction in expenditure is allocated to the Minor Flood Improvement account, and a further \$150,000 is allocated to the Inventory of Urban Streams; and**

Nayland/Galway stormwater upgrade

- 23. Notes that the Wastney Terrace project requires further negotiations with property owners and construction is now planned to start in 2020/21; and**

- 24. Approves that 2019/20 budget for the Wastney Terrace Project is \$100,000 and the 2020/21 budget be considered as part of the 2020/21 Annual Plan; and**

- 25. Approves that the 2019/20 Nayland/Galway stormwater budget is increased to \$716,000 as a result of higher than expected tenders; and**

Champion Road

- 26. Approves the provision of a maximum of \$470,000 as a grant payable to Tasman District Council for the Champion roundabout and underpass project as part of the 2019/20 Annual Plan, subject to Tasman District Council proceeding and officers being satisfied with the design objectives; and**

Footpaths

- 27. Notes that more new footpath work has been carried out in 2018/19 than previously forecast; and**

- 28. Approves that the new footpath budget for 2019/20 is decreased from \$1.069 million to \$715,000; and**

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Westbrook Convergence Bridge

- 29. Approves that Westbrook Convergence Bridge budget for the Annual Plan 2019/20 be decreased from \$398,000 to \$143,000; and**

Great Taste Trail link – Tahunuanui beach to airport

- 30. Approves the final Annual Plan 2019/20 budgets for the Great Taste Trail link - Tahunuanui beach to airport, be reinstated from \$320,000 to \$610,000; and**

Condition Assessments

- 31. Approves the carry forward of \$40,000 for Parks and Recreation condition assessments from 2018/19 to 2019/20; and**

Marina Hardstand

- 32. Approves the carry forward of \$65,000 for the marina hardstand project from 2018/19 to 2019/20; and**

Council Facilities Event Fund

- 33. Approves the establishment of a Council facilities event hire fund of \$30,000; and**

- 34. Directs officers to prepare a report to Council on appropriate criteria and process to administer and access the fund; and**

- 35. Notes that a report on the outcomes on the fund will be reported back to Council as part of the development of the 2020/21 budgets.**

Nelson Regional Development Agency funding

- 36. Approves that a review of the Nelson Regional Development Agency services funded or purchased by Council will be undertaken prior to the next Statement of Expectation being issued and that the findings of the review to be reported to the Governance Committee; and**

Poormans Walkway

- 37. Approves an increase in budget to construct the Poormans Walkway (Main Road Stoke to Neale Avenue) to \$1.2M spent over two financial years 2019/20 \$800,000 and 2020/21 \$400,000 (in addition to the forecast \$118,000 in the 2018/19 year), subject to**

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**confirmation of the Sports and Recreation Committee;  
and**

Upper Trafalgar Street

- 38. Approves provision of \$250,000 additional capital expenditure to undertake necessary work required should Upper Trafalgar Street be declared a pedestrian precinct; and**

Parking Meter Renewal

- 39. Approves bringing forward \$287,000 from 2020/21 to 2019/20 to renew parking meters at a total estimated budget for 2019/20 of \$867,000, noting that a report will be brought to Council prior to purchase; and**

Stoke Library Remediation

- 40. Approves provision for up to an additional \$100,000 in the 2019/20 year for the Stoke Library remediation;**

Changes to Capital Expenditure

- 41. Approves the changes to the 2019/20 capital expenditure budget, as set out in Attachment 4, and amended during the deliberations meeting on the following projects:**

- **Poormans Walkway**
- **Upper Trafalgar Street**
- **Parking Meter Renewal**
- **Stoke Library Remediation.**

Climate Change

- 42. Notes that Council has declared a Climate Emergency and has a range of climate change work already in progress; and**

- 43. Agrees that the current and proposed work programme will be supported through engagement with the community; and**

- 44. Approves a total of \$254,500 for climate change initiatives from general rates, comprised of: establishment of a climate forum and climate taskforce (\$30,000); appointment of a new "Climate Champion" (\$124,500) and to fund the \$100,000 specified in the Annual Plan 2019/20 consultation document; and**



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- 45. Approves transfer of \$500,000 of the 2018/19 Port Nelson Ltd special dividend to a reserve for possible climate change initiatives; and**
- 46. Notes that the decision to hold in reserve \$500,000 of the 2018/19 special dividend towards climate change initiatives is inconsistent with Council's Investment Policy which is to apply these dividends to reducing debt, and**
- 47. Notes the reason for this inconsistency is that Council intends to provide for climate change initiatives that may arise outside of the Annual Plan/Long Term Plan processes that will require funding and that the Port Special Dividend is an appropriate funding source for these actions; and**
- 48. Agrees that this is an exception to the Investment Policy, and no change to the Investment Policy is proposed as a result of this decision;**
- 49. Agrees that the proposed actions funded from the reserve will be subject to approval by Council; and**
- 50. Notes that the approved funding for climate change initiatives will enable preparatory work that supports meaningful community engagement and ongoing Council decision-making on climate change.**

Her Worship the Mayor/Matheson

Carried

The motion was passed on a show of hands, 9-2.

There being no further business the meeting ended at 6.54p.m..

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date