



Minutes of a meeting of the Nelson City Council

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

On Thursday 14 November 2019, commencing at 9.09a.m.

Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar, K Fulton, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner

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 (E-J Ruthven)

Apology: Councillor Lawrey

Opening Prayer

Kaihautū Pania Lee led the karakia.

1. Apologies

Resolved CL/2019/225

That the Council

- 1. Receives and accepts an apology from Councillor Lawrey.***

Her Worship the Mayor/Edgar

Carried

2. Statutory Declaration

Councillor Bowater made her statutory declaration, witnessed by Her Worship the Mayor Reese.

3. Confirmation of Order of Business

Her Worship the Mayor Reese advised that Item 1 (Community Housing: Approval of Terms of Sale) on the Confidential Agenda would be taken last as Councillor McGurk had indicated he had an interest in this item.

4. Interests

Councillor McGurk noted an interest in Item 1 (Community Housing: Approval of Terms of Sale) of the Confidential agenda and subsequently left the meeting when the item was considered.

5. Public Forum

5.1 Zero Carbon Nelson Tasman - Introduction to the Group, its work and looking ahead.

Bruce Gilkison and Jenny Easton spoke about the Zero Carbon Nelson Tasman group which had formed a year earlier to encourage action on climate change. It had researched and responded to calls on submissions to the Zero Carbon Bill and had engaged with local industries, young people and climate change groups. The group asked that Council consider including environmental targets when reviewing statements of intent with its Council Controlled Organisations.

Her Worship the Mayor acknowledged the Group's support in establishing a climate forum.

Joe Rifici - 5G

Mr Rifici spoke about 5th generation wireless communication technology and asked that Council approach the impacts of 5G with an open mind and intuitive heart. He spoke of the international appeal to stop the 5G rollout until potential hazards to human health and the environment had been fully investigated. He tabled two supporting documents (A2300104).

Mr Rifici asked Council to allow for a full 30 minute presentation of the material at some point and noted elected members would receive an invitation to attend an event with an international expert on the health effects of microwave radiation. Professor Dariusz Leszczynskiv, presenting at the Suter Theatre on 29 November at 7.00pm.

Her Worship the Mayor advised Mr Rifici that Council would consider his request and suggested he also engage with the Minister for the Environment.

Attachments

- 1 A2300104 Joe Rifici 5G Tabled Document Public Forum Council 14Nov2019

5.3 David Orr - Toilets, Litter and Recycling- Mr Orr did not attend.

5.4 Nelson Young Labour - Better Public Transport Across Te Tau Ihu

Tamara Livingstone and Vienna van Heeswyck spoke to a presentation (A2300153) and presented a petition requesting a better public transport system in and around Nelson, Marlborough and Tasman. They requested a system that was more affordable, with increased timetables and routes, and improved technology.

Her Worship the Mayor Reese received the petition (A2300162) and advised that public transport was part of the responsibility Regional Transport Committee of Council and the New Zealand Transport Association (NZTA), and encouraged the group to also approach Minister Twyford and associate ministers in relation to the issue.

Attachments

- 1 A2300153 Nelson Young Labour Petition Better Public Transport Powerpoint Public Forum Council 14Nov2019
- 2 A2300162 Nelson Young Labour Petition Better Public Transport Petition Public Forum Council 14Nov2019

6. Confirmation of Minutes

6.1 31 October 2019

Document number M6516, agenda pages 11 - 19 refer.

Resolved CL/2019/226

That the Council

1. ***Confirms, with minor corrections, the minutes of the meeting of the Council, held on 31 October 2019, as a true and correct record.***

Her Worship the Mayor/Edgar

Carried

7. Acknowledgement of Past Service

Her Worship the Mayor Reese invited Ian Barker to join the meeting. She noted that following tradition, the first ordinary meeting of a Council acknowledged past service of elected members who had stood for election but were not returned.

Mayor Reese reflected on Mr Barker's extraordinary contribution of service to the people of Nelson as a Councillor (2001 – 2019) and prior to that as a senior manager at Nelson City Council. She particularly acknowledged Mr Barker's chairmanship of the Governance Committee and his willingness to step in to support her in her Mayoral duties.

Mr Barker responded and outlined his extensive career in local government and the changes he had seen.

Her Worship the Mayor presented Mr Barker with a gift on behalf of the city and acknowledged the support of his wife.

The meeting adjourned from 10.15a.m. until 10.36a.m.

8. Te Taiuhu Intergenerational Strategy (Agenda item 9)

Document number R13586, agenda pages 47 - 49 refer.

Manager Strategy, Mark Tregurtha, presented the report.

Paul Morgan, Chair of Whakatū Corporation, spoke to a presentation on the Te Taiuhu Intergenerational Strategy, noting that the strategy was currently in draft form and was open for feedback. He said the document would be presented at the Te Taiuhu Steering Group meeting on 16 December and the outcome would be communicated to Council. He noted it was a living document for the community to consider and reshape the priorities over time.

Council provided feedback and suggested a number of changes, including the importance of the following activities on community wellbeing:

- Arts
- Education
- Heritage
- Health
- Good quality and innovative solutions for housing

Council also supported further engagement with iwi and the business community and asked that the effect of the aging population be considered in the Strategy.

Mr Tregurtha advised he would collate further Councillors feedback received by email and forward this to the Te Taiuhu Steering Group.

Resolved CL/2019/227

That the Council

- 1. Receives the report Te Taiuhu Intergenerational Strategy (R13586) and its attachments (A2296947 and A2296946).***

Fulton/Her Worship the Mayor

Carried

9. Mayor's Report

Document number R12566, agenda pages 20 - 46 refer.

Her Worship the Mayor Reese presented her report. She outlined some minor corrections and answered questions on the membership of the Forestry Advisory Group.

Councillor Courtney acknowledged the election of Mayor Reese as Regional Sector representative on the National Council of Local Government New Zealand and requested that this be recognised in a resolution.

The recommendation was taken in parts.

Resolved CL/2019/228

That the Council

- 1. Receives the report Mayor's Report (R12566) and its attachments (A2297022, A1667136, A1702206, A1554165 and A2297276); and***

Her Worship the Mayor/O'Neill-Stevens

Carried

Resolved CL/2019/229

- 2. Appoints the following elected members to other Committees:***

Committee	Chair	Deputy Chair	Membership
Joint Shareholders Committee	Alternates between Mayors of each district	None appointed	Mayor Rachel Reese Judene Edgar Rachel Sanson Brian McGurk Gaile Noonan Mel Courtney
Nelson Regional Sewerage Business Unit (Joint)			Brian McGurk Tim Skinner External (Brendon Silcock) Iwi Rep (Frank Hippolite)
Nelson Tasman Regional Landfill Business Unit (Joint)			Judene Edgar Kate Fulton Iwi Rep (Andrew Stephens)
Saxton Field Committee (Joint)	External Appointment		Judene Edgar Tim Skinner
District Licensing Committee	External Appointment (Oke Blaikie)	Kate Fulton	Gaile Noonan External Appointments to 15 Nov 2023:

			Gail Collingwood Derek Shaw Laurie Gabites David Lewis
Forestry Advisory Group	External Appointment		Mayor Rachel Reese Rachel Sanson Independent External Forestry Expert
Hearings Panel - Other	n/a – Panel constituted as required	n/a – Panel constituted as required	All elected members in rotation (except the Mayor)
Hearings Panel – Resource Management Act	n/a – Panel constituted as required	n/a – Panel constituted as required	Elected members with commissioner accreditation: Mayor Rachel Reese Kate Fulton Brian McGurk Tim Skinner
Resource Management Act Procedures Committee	n/a – Panel constituted as required	Appointed by the Committee	Mayor Rachel Reese Kate Fulton Brian McGurk
Iwi-Council Partnership Group			Mayor Rachel Reese Judene Edgar Matt Lawrey Rachel Sanson
Greenmeadows Working Party			Mayor Rachel Reese Gaile Noonan Mel Courtney Chair of Audit & Risk Committee
Tenders Subcommittee			Mayor Deputy Mayor Chair of the Governance and Finance Committee Chair of the relevant committee with responsibility relating to a tender Chief Executive

Her Worship the Mayor/McGurk

Carried

Resolved CL/2019/230

3. Approves (subject to their acceptance of the role) the reappointment of:

Committee/Group	External Appointment
Governance and Finance Committee	John Peters John Murray
Environment Committee	Glenice Paine
Audit and Risk Committee	John Peters (Chair)

	John Murray
Forestry Advisory Group	John Murray (Chair) Peter Gorman (independent External Forestry Expert)

Noonan/Skinner

Carried

Resolved CL/2019/231

4. *Delegates the appropriate Committees of Council, as set out in document A2297276, to determine Councillor Liaison appointments to external organisations and groups that are within the committees' areas of responsibility; and*

5. *Appoints Elected Members to liaison roles as follows:*

Organisation/Group	Appointment/Liaison
Developer Advisory Group	Mayor Rachel Reese Mel Courtney Matt Lawrey
Urban Design Champion role	Pete Rainey
Positive Aging Forum	Yvonne Bowater
Eelco Boswijk Civic Awards	Mayor Rachel Reese Trudie Brand Judene Edgar Kate Fulton Matt Lawrey Pete Rainey
Nelson Youth Council	Rohan O'Neill-Stevens All other Elected Members on rotation
Tasman Bays Heritage Trust Appointments Committee	Mel Courtney Gaile Noonan
Youth Nelson	Yvonne Bowater
Sister Cities Coordinating Group	Trudie Brand
Waimea Inlet Coordination Group	Brian McGurk

Skinner/Noonan

Carried

Resolved CL/2019/232

6. *Notes that Mayor Rachel Reese is a member of the following bodies by legislation or governing documentation:*

- ***Nelson Mayoral Relief Trust***
- ***Mayors Taskforce for Jobs***
- ***Cawthron Institute Trust Board***
- ***Nelson Municipal Band Trust***

- **Whakatū Marae Committee Inc; and**

8. Appoints Gail Collingwood as Sister Cities Coordinator for a period of three years finishing in October 2022; and

Her Worship the Mayor/Edgar

Carried

Resolved CL/2019/233

9. Recognises and supports the election of Her Worship the Mayor Reese as Regional Sector representative on the National Council of Local Government New Zealand.

Courtney/Sanson

Carried

It was noted that the external appointment policy was due for review at the commencement of the triennium and that it should include reference to the Officer of the Auditor General best practice and Māori world view.

It was also noted that it would be timely to review the honorarium for the Sister Cities coordinator role.

10. Delegations Register 2019

Document number R12568, agenda pages 50 - 151 refer.

Manager Governance and Support Services, Mary Birch, and Governance Adviser, E-J Ruthven, presented the report. Ms Ruthven updated Council on additional changes which refined the responsibilities or delegations of Committees, and tabled further documentation:

- A2299527 Additional changes
- A1437349 Audit and Risk Subcommittee Terms of Reference
- A1739267 Forestry Advisory Group Terms of Reference
- A2288940 City Centre Working Group Terms of Reference

Resolved CL/2019/234

That the Council

- 1. Receives the report Delegations Register 2019 (R12568) and its attachments (A1183061, A1983271, A1983272, A1342334, A1437349, A1739267, A2288940); and***
- 2. Adopts the Delegations Register (A1183061) with amendments as tabled (A2299527, A1437349, A1739267 and A2288940); and***

3. **Amends the Memoranda of Understanding governing the Nelson Regional Sewerage Business Unit (A1983271) and the Terms of Reference governing the Nelson Tasman Regional Landfill Business Unit (A1983272) and the Saxton Field Committee (A1342334), subject to Tasman District Council passing an equivalent resolution; and**
4. **Amends the Terms of Reference governing the Audit and Risk Subcommittee (A1437349) and the Forestry Advisory Group (A1739267); and**
5. **Adopts the Terms of Reference for the City Centre Working Group (A2288940); and**
6. **Revokes the following resolution of Council of 20 March 2018 [CL/2018/023]:**

That the Council:

Undertakes the review of the Dog Control Policy and Bylaw. ; and

7. **Confirms in accordance with the Delegations Register, that the Environment Committee undertakes a review of the Dog Control Policy and Bylaw.**

Edgar/Brand

Carried

Attachments

- 1 A2299527 List of amendments to Delegations Register
- 2 A1437349 Audit, Risk and Finance Subcommittee Updated Terms of Reference amended 23Mar2017
- 3 A1739267 Forestry Advisory Group Updated Terms of Reference - 21Sep2017
- 4 A2288940 City Centre Working Group Updated Terms of Reference October 2019

11. Schedule of Meetings

Document number R11460, agenda pages 152 - 154 refer.

Manager Governance and Support Services, Mary Birch, presented the report.

Resolved CL/2019/235

That the Council

1. ***Receives the report Schedule of Meetings (R11460) and its attachment (A2256931); and***
2. ***Adopts the schedule of meetings for the remainder of the 2019 calendar year as set out in Attachment 1 (A2256931).***

Noonan/Sanson

Carried

12. Exclusion of the Public

Emma Moran, of DLA Piper was in attendance, via audiolink, for Item 1 of the Confidential Agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved CL/2019/236

That the Council

1. ***Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Emma Moran of DLA Piper remain after the public has been excluded, for Item 1 of the Public Excluded agenda (Community Housing: Approval of Terms of Sale), as she has knowledge relating to the terms of sale that will assist the meeting.***

Her Worship the Mayor/Rainey

Carried

Resolved CL/2019/237

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/Rainey

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	Community Housing: Approval of Terms of Sale	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)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied • 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)
2	Nelson City Council Workplace Improvement - Accommodation Options	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities

The meeting went into confidential session at 12.35p.m. and resumed in public session at 3.27p.m.

RESTATEMENTS

It was resolved while the public was excluded:

1	PUBLIC EXCLUDED: Community Housing: Approval of Terms of Sale
	<i>Agrees that the Decision, Report (10444) and its attachments (A2277834, A2287364, A2287361, A2294879) be excluded from public release at this time.</i>
2	PUBLIC EXCLUDED: Nelson City Council Workplace Improvement - Accommodation Options
	<i>Leaves the item Nelson City Council Workplace Improvement - Accommodation Options to lie until the Council meeting to be held on 12 December 2019</i>

Her Worship the Mayor gave the closing karakia.

There being no further business the meeting ended at 3.27p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date