



Minutes of a meeting of the Nelson City Council

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

On Thursday 18 February 2021, commencing at 9.07a.m.

Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), K Fulton, M Lawrey, 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 (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), and Governance Advisers (E-J Ruthven and K McLean)

Apologies : Nil

Karakia Timatanga

A karakia timatanga was given.

1. Apologies

There were no apologies

2. Confirmation of Order of Business

Her Worship the Mayor advised of one late item for the meeting, and that the following resolution needed to be passed for the item to be considered:

2.1 Adoption of the Draft Financial Strategy

Resolved CL/2021/001

That the Council

- 1. Considers the item regarding Adoption of the Draft Financial Strategy 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 a timely decision to be made.***

Noonan/McGurk

Carried

3. Interests

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

4. Public Forum

4.1 Steve Cross – Library Redevelopment Proposal

Mr Cross explained his concerns regarding the cost of the proposed Elma Turner Library redevelopment project and the potential for inundation in the area. He noted that the costs of library and art gallery development projects in other local authority areas was less per square metre, and suggested the proposed cost of the Elma Turner Library project could not be justified.

5. Confirmation of Minutes

5.1 10 December 2020

Document number M15348, agenda pages 8 – 11 refer

Resolved CL/2021/002

That the Council

- 1. Confirms the minutes of the extraordinary meeting of the Council, held on 10 December 2020, as a true and correct record.***

Edgar/Courtney

Carried

5.2 17 December 2020

Document number M15357, agenda pages 12 - 38 refer

Resolved CL/2021/003

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 17 December 2020, as a true and correct record.***

Her Worship the Mayor/Skinner

Carried

6. Mayor's Report

Document number R22573, agenda pages 39 - 40 refer.

Her Worship the Mayor noted that current employment levels in the region were encouraging, however there was continuing pressure on housing. She noted the need for partnership between central and local government, and social support organisations to address this.

Resolved CL/2021/004

That the Council

- 1. Receives the report Mayor's Report (R22573).***

Her Worship the Mayor/Edgar

Carried

7. Options for a Climatorium

Document number R20301, agenda pages 41 – 57 refer.

Iain Sheves, Wakatū Incorporation Group General Manager Property and Commercial (Strategy and Risk), joined the meeting via audio-visual link.

The meeting was adjourned from 9.30a.m. to 9.39a.m.

Consultant Chris Ward, of Policy Works Ltd, presented the report.

Mr Sheves gave a PowerPoint presentation (A2578224), and together with Mr Ward, he answered questions regarding:

- Wakatū Incorporation's relationship with the Lemvig Climatorium;
- The importance of local authority participation as part of the quadruple-helix model for development of a climatorium;
- Council's ability to assist with setting up a Steering Group and provide political leadership for the project,
- the development of a virtual climatorium prior to considering whether a physical climatorium was required,

- collaboration with potential local partners and information flow between Lemvig and Nelson, and
- whether financial support for the climatorium would be sought from Council in the future.

Her Worship the Mayor advised that the meeting would move to consider the following item, Elma Turner Library Redevelopment Options, before returning to consider this item further.

Attachments

- 1 A2578224 - PowerPoint Presentation - Wakatū Incorporation - Climatorium

8. Elma Turner Library Redevelopment Options

Document number R21341, agenda pages 58 - 110 refer.

Consultant Chris Ward, of Policy Works Ltd, presented the report. He tabled an updated Attachment 4 to the report (A2479330), and explained that paragraph 7.4 of the report should refer to Option 4, rather than Option 3.

Iain Sheves, Wakatū Incorporation Group General Manager Property and Commercial (Strategy and Risk), gave a further PowerPoint presentation regarding the Elma Turner Library Redevelopment Project as part of the Maitahi Precinct (A2578902).

Mr Sheves answered questions regarding:

- Wakatū Incorporation's vision for the Riverside Precinct, including the proposed land swap, the future for current lessees in the area, how the vision might change if the library were situated elsewhere, and potential timeframes for development;
- Potential design controls to mitigate the risk of inundation; and
- Wakatū Incorporation's focus on climate change and intergenerational outcomes.

Mr Sheves left the meeting, and Her Worship the Mayor advised the meeting would return to consider further item 8, Options for a Climatorium.

Attachments

- 1 A2479330 - updated attachment 4 to report R21341
- 2 A2578902 - PowerPoint Presentation - Wakatū Incorporation - Maitahi Precinct

9. Options for a Climatorium (Item 8, cont)

Document number R20301, agenda pages 41 - 57 refer.

Her Worship the Mayor, seconded by Councillor Fulton, moved:

That the Council

1. *Receives the report Options for a Climatorium (R20301) and its attachment (A2398703); and*
2. *Supports Wakatū Incorporation's approach of developing a business case for the development of a Climatorium; and*
3. *Agrees that planning for any library redevelopment in the Mahitahi River Precinct should recognise the potential development of a Climatorium on Wakatū Incorporation land; and*
4. *Agrees to work with Wakatū Incorporation to convene a meeting with representatives from government, industry, research institutions, and the community to explore the opportunity for Nelson to become a centre for climate change mitigation, adaptation and resilience research and innovation.*

Chief Executive, Pat Dougherty, answered questions regarding the effect of the proposed motion on Council's resources, workstreams and budgets.

Mr Ward answered further questions regarding the risks and disadvantages noted in the report for options two and three, how progress would be reported back to Council should the motion proceed, the centrality of relationship-building in the quadruple-helix model, and the development of a virtual climatorium prior to considering a physical climatorium building.

Following discussion, and with the agreement of the meeting, the mover and seconder of the motion added an additional clause 5:

5. *Requests that progress on the development of the Climatorium is reported to Council on a regular basis via the Mayor's Report.*

Elected members debated the motion.

During debate, Councillor O'Neill-Stevens and Councillor Lawrey raised points of order against Councillor Skinner, that under Standing Order 24.2(b), disrespectful language had been used. The points of order were upheld.

Resolved CL/2021/005

That the Council

- 1. Receives the report Options for a Climatorium (R20301) and its attachment (A2398703); and***
- 2. Supports Wakatū Incorporation's approach of developing a business case for the development of a Climatorium; and***
- 3. Agrees that planning for any library redevelopment in the Mahitahi River Precinct should recognise the potential development of a Climatorium on Wakatū Incorporation land; and***
- 4. Agrees to work with Wakatū Incorporation to convene a meeting with representatives from government, industry, research institutions, and the community to explore the opportunity for Nelson to become a centre for climate change mitigation, adaptation and resilience research and innovation; and***
- 5. Requests that progress on the development of the Climatorium is reported to Council on a regular basis via the Mayor's Report.***

Her Worship the Mayor/Fulton

Carried

The meeting was adjourned from 11.10a.m. to 11.25a.m.

10. Elma Turner Library Redevelopment Options (Item 9, cont)

Document number R21341, agenda pages 58 - 110 refer.

Consultant, Chris Ward, of Policy Works Ltd, spoke to the report.

Mr Ward, Group Manager Infrastructure, Alec Louverdis, and Chief Executive, Pat Dougherty, answered questions regarding:

- How proposed high-level costs for a five-star green-star building were developed, and how they compared with developments by other local authorities that did not meet these specifications;
- Inclusion in the costings of all foreseeable costs of the development, including contingencies, fitout costs, landscaping and hard and soft furnishings, and fulltime professional supervision of the development;

- The proposed land swap with Wakatū Incorporation, and Wakatū Incorporation's expectations regarding the type of building to be developed on the corner site;
- Timeframes for and the scope of negotiations with Wakatū Incorporation, how these aligned with the Long Term Plan timeframes, and the potential timeframe for construction of a new library;
- Potential design elements to mitigate any risks regarding climate resiliency, including how to meet Coastal Policy Statement requirements, and how insurance for the site might be affected;
- The procurement model for the project, should it proceed, noting a specific approach may be required;
- The potential life span of a new library building;
- Community engagement undertaken to date, and further consultation to occur through the Long Term Plan;
- Consideration of any alternative uses for the corner site.

Activity Engineer, Toby Kay, and Tonkin and Taylor Water Resources Engineer, Damian Velluppillai, along with Mr Ward, answered further questions regarding:

- projected sea level rise and potential inundation and flooding impacts for the Riverside Precinct, based on Representative Concentration Pathways 8.5M and 8.5M+;
- Reasons for taking a conservative approach sea level rise and inundation risks in relation to this project; and
- Potential mitigation measures for sea level rise and inundation risks, such as raised floor levels, raised street levels and flood walls, and how these may affect a redeveloped library on the corner site.

The meeting was adjourned from 1.12p.m. to 1.52p.m.

Officers answered further questions regarding:

- The potential costs of the project, including the deconstruction of 23 Halifax Street as a part of this project;
- Additional timeframes should further consideration be given to redeveloping a library on a different site in the city;
- Inundation mitigation works to be undertaken along the Maitai River;

- Land swap negotiations with Wakatū Incorporation, including levels of car parking to be included for the redevelopment of the library, and further development of the Riverside Precinct over time; and
- Elements to be incorporated into a high-specification building, such as a specialised library fit-out and an archive facility.

Councillor Fulton, seconded by Councillor McGurk, moved:

That the Council

1. *Receives the report Elma Turner Library Redevelopment Options (R21341) and its attachments (A2411462, A2478433, A2572096 and A2479330); and*
2. *Confirms that Council's preferred option is to build a new library building on the corner of Halifax Street and Trafalgar Street, within the Riverside Precinct, subject to agreement with Wakatū Incorporation on a land exchange involving that site and the current library site; and*
3. *Directs officers to enter into preliminary negotiations with Wakatū Incorporation to develop a land exchange proposal and report back; and*
4. *Notes that a business case will be brought to Council for final approval of the project; and*
5. *Notes that any agreements negotiated with Wakatū Incorporation will be subject to approval of the business case and confirmation of the location and the budget for the Elma Turner Library through the Long Term Plan 2021-2031.*

Elected members debated the motion.

During debate, Her Worship the Mayor raised a point of order against Councillor Skinner, that under Standing Order 24.2(d) a misleading statement had been made. The point of order was upheld, and the statement was withdrawn.

Resolved CL/2021/006

That the Council

1. ***Receives the report Elma Turner Library Redevelopment Options (R21341) and its attachments (A2411462, A2478433, A2572096 and A2479330); and***

2. ***Confirms that Council's preferred option is to build a new library building on the corner of Halifax Street and Trafalgar Street, within the Riverside Precinct, subject to agreement with Wakatū Incorporation on a land exchange involving that site and the current library site; and***
3. ***Directs officers to enter into preliminary negotiations with Wakatū Incorporation to develop a land exchange proposal and report back; and***
4. ***Notes that a business case will be brought to Council for final approval of the project; and***
5. ***Notes that any agreements negotiated with Wakatū Incorporation will be subject to approval of the business case and confirmation of the location and the budget for the Elma Turner Library through the Long Term Plan 2021-2031.***

Fulton/McGurk

Carried

A division was called:

For

Her Worship the Mayor
(Chairperson)
Cr Bowater
Cr Brand
Cr Courtney
Cr Edgar
Cr Fulton
Cr Lawrey
Cr O'Neill-Stevens
Cr McGurk
Cr Noonan
Cr Skinner

Against

Cr Rainey
Cr Sanson

Abstained/Interest

The motion was carried 11 - 2.

Extension of Meeting Time

Resolved CL/2021/007

That the Council

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

Edgar/Bowater

Carried

The meeting was adjourned from 2.58p.m. to 3.08p.m.

11. Adoption of the Draft Financial Strategy

Document number R22545, late items agenda pages 3 - 21 refer.

Group Manager Corporate Services, Nikki Harrison, and Manager Finance, Clare Knox, presented the report.

Ms Harrison and Ms Knox answered questions regarding the operation and capital expenditure amounts between 2032 and 2051, the proposal to review the target return of taxable profits from Nelmac Limited, and the use of rates collected over the next 10 years.

Resolved CL/2021/008

That the Council

1. ***Receives the report Adoption of the Draft Financial Strategy (R22545) and its attachment (A2533099); and***
2. ***Adopts the Draft Financial Strategy (A2533099).***

Edgar/Bowater

Carried

12. Exclusion of the Public

Resolved CL/2021/009

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/Skinner

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	Extraordinary Council Meeting - Confidential Minutes - 10 December 2020	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Council Meeting – Confidential Minutes – 17 December 2020	<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
3	Recommendations from Committees Strategic Development and Property Subcommittee – 11 February 2021	<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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Strawbridge Square Improvements Brook Valley Holiday Park Long Term Occupancy Compliance		<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 3.15p.m. and resumed in public session at 3.40p.m.

RESTATEMENTS

It was resolved while the public was excluded:

1	CONFIDENTIAL: Recommendation from Strategic Development and Property Subcommittee – Strawbridge Square Improvements
	<p><i>That the Council</i></p> <p>2. <i>Agrees that Report (R13655), Attachments (A2372815 and A2416789) and the decision remain confidential at this time.</i></p>

2	CONFIDENTIAL: Recommendation from Strategic Development and Property Subcommittee – Brook Valley Holiday Park Long Term Occupancy Compliance
	<p><i>That the Council</i></p> <p>9. <i>Agrees that Report R21432, attachments (A2505899 and A2568730) and the decision remain confidential at this time.</i></p>

Karakia Whakamutunga

A karakia whakamutunga was given.

There being no further business the meeting ended at 3.42p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date