



Minutes of a meeting of the Nelson City Council

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

On Thursday 18 March 2021, commencing at 9.04a.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), Team Leader Governance (R Byrne), Governance Adviser (E Stephenson) and Youth Councillors (T Wheatley and S Herath)

Karakia Timatanga

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

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Agenda Item 9 - The Adoption of the Consultation Document for the Long Term Plan 2021-31 and Related Documents was considered after Item 6 - Recommendations from Committees.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 18 February 2021

Document number M15422, agenda pages 10 - 21 refer.

Resolved CL/2021/025

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 18 February 2021, as a true and correct record.***

Her Worship the Mayor/Skinner

Carried

6. Recommendations from Committees

6.1 Environment and Climate Committee 17 February 2021

6.1.1 Biosecurity Annual Review

Resolved CL/2021/026

That the Council

- 1. Approves the Operational Plan 2020-21 for the Tasman-Nelson Regional Pest Management Plan (A2486628), specifically as it relates to Nelson City Council's area.***

Fulton/McGurk

Carried

6.2 Community and Recreation Committee - 4 March 2021

6.2.1 Community and Recreation Fees and Charges 2021/22 and removal of Rates Remission for Cemeteries

Resolved CL/2021/027

That the Council

- 1. Agrees to consult on the removal of the Rates Remission Policy for cemeteries; and***
- 2. Agrees the cemeteries remission changes to be consulted on within the Consultation Document to the Long Term Plan 2021-31.***

Skinner/Edgar

Carried

7. Adoption of the Consultation Document for the Long Term Plan 2021-31 and Related Documents (Agenda Item 9)

Document number R22525, agenda pages 30 - 446 refer.

The following documents were tabled:

- 1 A2596349 – Long Term Plan (LTP) Consultation Document Audit opinion
- 2 A2562891 - Updated Funding Impact Statement
- 3 A2563695 - Updated tracked changes LTP text Consultation Document
- 4 A2597949 - Working Copy Design Consultation Document
- 5 A2596173 - Appendix of changes to supporting information for LTP Consultation Document

John Mackey, Audit Director, Audit New Zealand (NZ), spoke to the tabled Audit NZ opinion (A2596349) via Zoom. It was confirmed that no Elected Members were aware of any actual or suspected fraud, which is a requirement of the Auditing Standards. Mr Mackey answered questions regarding the Audit NZ opinion.

Group Manager Corporate Services, Nikki Harrison, Group Manager Strategy and Communication, Nicky McDonald and Senior Policy Adviser, Michelle Joubert provided the rationale for the changes made to the draft Consultation Document and supporting information since the publication of the agenda, which were listed in full in the Appendix of changes to supporting information for the LTP 2021 – 31 (LTP) Consultation Document (CD) (A2595173). Ms Harrison, Ms McDonald and Ms Joubert answered questions regarding the changes and the LTP process.

The meeting was adjourned from 9.44a.m. until 9.55a.m., during which time Councillor Skinner left the meeting.

Attendance: Councillor Skinner returned to the meeting at 10.01a.m.

Questions and discussion continued.

The meeting was adjourned from 10.56a.m. until 11.15a.m.

Questions and discussion continued.

The meeting was adjourned from 12.26p.m. until 1.09p.m., during which time Councillors Edgar, Fulton, Lawrey, Noonan and Skinner left the meeting.

Councillor Lawrey returned to the meeting at 1.10p.m. and Councillors Skinner and Edgar returned to the meeting at 1.11p.m. Councillor Noonan returned to the meeting at 1.23p.m. and Councillor Fulton returned to the meeting at 1.26p.m.

During the detailed questions and discussion on the proposed changes to supporting information, further amendments were suggested, and any additional changes agreed during the meeting have been incorporated into

Minutes Attachment 3 - A2563695 - Updated tracked changes LTP text Consultation Document (available in the Minutes Attachment document).

The recommendations were amended to reflect the adoption of the tabled documents and the amendments agreed at the meeting and an additional clause (6) to receive the Audit Opinion from Audit NZ was added.

The motion was taken in parts.

Her Worship the Mayor / Councillor Edgar

That the Council

1. *Receives the report Adoption of the Consultation Document for the Long Term Plan 2021-31 and Related Documents (R22525) and its attachments (A2563695, A2573241, A2558353, A2562891, A2258406, A2508977, A2546062, A2364365, A2533099, A2554237, A2380354, A2587614, A2463444 and A2496998).*

Carried

Her Worship the Mayor / Councillor Edgar

That the Council

2. *Resolves that setting an unbalanced budget for years 2022/23 and 2023/24 of the Long Term Plan is prudent in terms of section 100 of the Local Government Act 2002 given the ongoing effects of the COVID-19 pandemic, on the local economy and its ratepayers, having had regard to the matters in section 100(2) of the Local Government Act 2002.*

Carried

During debate, Points of Order were raised and upheld as follows:

Councillor Rainey against Councillor Courtney for irrelevance; and

Her Worship the Mayor against Councillor Courtney for disrespectful language.

Following debate, the remaining parts of the motion were put.

Her Worship the Mayor / Councillor Edgar

3. *Adopts the following documents, including tabled documents and amendments made at the meeting, as supporting information for Nelson's Long Term Plan Consultation Document as required by section 93G of the Local Government Act 2002:*

- *Community Outcomes (A2573241)*
- *Financial Statements (Accounting Information) (A2558353)*
- *Funding Impact Statement (A2562891)*
- *Treasury Management Policy (A2258406)*

- *Forecasting Assumptions (A2508977)*
- *Activity Summaries (A2546062)*
- *Infrastructure Strategy (A2364365)*
- *Financial Strategy (A2533099)*
- *Statement on Fostering Māori Participation in Decision Making (A2554237)*
- *Population Growth and Demographics report (A2380354)*
- *Supporting information for a New Company Model for Nelson Airport and Port Nelson – (A2587614); and*

4. Adopts the following for concurrent consultation under the provisions of s82 of the Local Government Act 2002 having considered all the reasonably practicable options:

- *Rates Remission Policy (A2463444)*
- *Revenue and Financing Policy (A2496998).*

Carried

Her Worship the Mayor / Councillor Edgar

That the Council

5. Agrees that having considered the Council's Significance and Engagement Policy and the importance of other matters to the Nelson Region and its communities, that the key issues and choices facing Council and the Nelson Region are included in the Consultation Document (A2563695).

Carried

Her Worship the Mayor / Councillor Edgar

That the Council

6. Receives the Audit Opinion from Audit New Zealand for inclusion in the Consultation Document.

Carried

Her Worship the Mayor / Councillor Edgar

That the Council

7. Adopts the updated Long Term Plan 2021-31 Consultation Document (A2563695), including tabled documents and amendments made at the meeting, for release as the basis for community consultation in accordance with the provisions of the Local Government Act 2002; and

8. Agrees that the consultation approach (in paragraphs 5.12 to 5.15) includes sufficient steps to ensure the consultation process will be sufficiently accessible to the public and will be as widely publicised as

reasonably practicable and in a manner appropriate to its purpose and significance; and

9. *Delegates the Mayor and Chief Executive to make any necessary minor editorial amendments prior to the documents being released for public consultation.*

Carried

Her Worship the Mayor acknowledged the importance of engagement and thanked Elected Members, John Mackey of Audit NZ, Council's Chief Executive, Pat Dougherty and Council officers for their work on the LTP Consultation documents.

For clarity the full resolutions relating to the adoption of the LTP 2021 -31 Consultation document and related supporting information are below.

Resolved CL/2021/028

That the Council

1. ***Receives the report Adoption of the Consultation Document for the Long Term Plan 2021-31 and Related Documents (R22525) and its attachments (A2563695, A2573241, A2558353, A2562891, A2258406, A2508977, A2546062, A2364365, A2533099, A2554237, A2380354, A2587614, A2463444 and A2496998); and***
2. ***Resolves that setting an unbalanced budget for years 2022/23 and 2023/24 of the Long Term Plan is prudent in terms of section 100 of the Local Government Act 2002 given the ongoing effects of the COVID-19 pandemic, on the local economy and its ratepayers, having had regard to the matters in section 100(2) of the Local Government Act 2002; and***
3. ***Adopts the following documents, including tabled documents and amendments made at the meeting, as supporting information for Nelson's Long Term Plan Consultation Document as required by section 93G of the Local Government Act 2002:***
 - ***Community Outcomes (A2573241)***
 - ***Financial Statements (Accounting Information) (A2558353)***
 - ***Funding Impact Statement (tabled) (A2562891)***
 - ***Treasury Management Policy (A2258406)***
 - ***Forecasting Assumptions (A2508977)***

- **Activity Summaries (A2546062)**
 - **Infrastructure Strategy (A2364365)**
 - **Financial Strategy (A2533099)**
 - **Statement on Fostering Māori Participation in Decision Making (A2554237)**
 - **Population Growth and Demographics report (A2380354)**
 - **Supporting information for a New Company Model for Nelson Airport and Port Nelson – (A2587614); and**
4. **Adopts the following for concurrent consultation under the provisions of s82 of the Local Government Act 2002 having considered all the reasonably practicable options:**
- **Rates Remission Policy (A2463444)**
 - **Revenue and Financing Policy (A2496998); and**
5. **Agrees that having considered the Council's Significance and Engagement Policy and the importance of other matters to the Nelson Region and its communities, that the key issues and choices facing Council and the Nelson Region are included in the Consultation Document (A2563695); and**
6. **Receives the Audit Opinion from Audit New Zealand for inclusion in the Consultation Document; and**
7. **Adopts the updated Long Term Plan 2021-31 Consultation Document (A2563695), including tabled documents and amendments made at the meeting, for release as the basis for community consultation in accordance with the provisions of the Local Government Act 2002; and**
8. **Agrees that the consultation approach (in paragraphs 5.12 to 5.15) includes sufficient steps to ensure the consultation process will be sufficiently accessible to the public and will be as widely publicised as reasonably practicable and in a manner appropriate to its purpose and significance; and**
9. **Delegates the Mayor and Chief Executive to make any necessary minor editorial amendments prior to the documents being released for public consultation.**

Her Worship the Mayor/Edgar

Carried

Attachments

- 1 A2596349 - LTP Consultation Document Audit opinion
- 2 A2562891 Updated Funding Impact Statement
- 3 A2563695 Updated tracked changes LTP text Consultation Document
- 4 A2597949 - Working Copy Design Consultation Document
- 5 A2596173 - Appendix of changes to supporting information for LTP Consultation Document

The meeting was adjourned from 2.39p.m. until 2.47p.m., during which time Her Worship the Mayor and Councillor Fulton left the meeting. The Deputy Mayor, Councillor Edgar, assumed the Chair at 2.47p.m.

Extension of Meeting Time

Resolved CL/2021/029

That the Council

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

Bowater/Noonan

Carried

Attendance: Councillor Fulton returned to the meeting at 2.49p.m.

8. Review of the Development Contributions Policy 2018 (Agenda Item 10)

Document number R22680, agenda pages 447 - 549 refer.

Team Leader City Development, Lisa Gibellini and Strategy and Environment Senior Analyst, Chris Pawson, noted an amendment to agenda page 543 – Proposed Significant Changes to the Policy -:

The proposed significant changes to the Development Contributions and Financial Contributions Policy 2018...

Ms Gibellini and Mr Pawson answered questions regarding incentives and exemptions. It was noted that a future report addressing a range of incentivisation levers would be provided.

It was agreed that the following amendment on agenda page 484 - 7.9 - Other exemptions - be made:

An application for an exemption ~~must~~ should be made to the Group Manager Environmental Management prior to an invoice being issued.

Resolved CL/2021/030

That the Council

- 1. Receives the report Review of the Development Contributions Policy 2018 (R22680) and its attachments (A2538607 and A2502141); and***
- 2. Adopts the draft Development Contributions Policy 2021 and consultation document, as amended at the meeting, for consultation alongside the Long Term Plan 2021-2031 consultation process; and***
- 3. Approves the consultation approach (set out in paragraph 8) and agrees:***
 - (a) the plan includes sufficient steps to ensure the Consultation Document will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - (b) the plan will result in the Consultation Document being as widely publicised as is reasonably practicable as a basis for consultation.***

McGurk/Rainey

Carried

The meeting was adjourned from 3.09p.m. until 3.11p.m., at which time the Mayor resumed the Chair.

9. Mayor's Report (Agenda Item 7)

Document number R22721, agenda pages 22 - 27 refer.

Her Worship the Mayor noted that the addendum to her Mayor's Report was the foreword to the LTP 2021 – 31 Consultation Document and spoke to her report.

Resolved CL/2021/031

That the Council

- 1. Receives the report Mayor's Report (R22721) and its attachment (A2585869).***

Her Worship the Mayor/Bowater

Carried

10. Council Status Report - 18 March 2021 (Agenda Item 8)

Document number R22716, agenda pages 28 - 29 refer.

Resolved CL/2021/032

That the Council

- 1. Receives the report Council Status Report - 18 March 2021 (R22716).***

Her Worship the Mayor/Skinner

Carried

11. Saltwater Creek Bridge - Gift to the Brook Waimārama Sanctuary Trust

Document number R22596, agenda pages 550 - 555 refer.

Principal Parks and Facilities Activity Planner, Andrew Petheram, answered a question regarding the timeframe for the removal of the bridge.

Resolved CL/2021/033

That the Council

- 1. Receives the report Saltwater Creek Bridge - Gift to the Brook Waimārama Sanctuary Trust (R22596) and its attachment (A2565116); and***
- 2. Approves the gifting of the old Saltwater Creek Bridge to the Brook Waimārama Sanctuary Trust for installation at the Sanctuary at no charge, subject to the trust undertaking at its own expense the following matters:***
 - a) Collection from the Marina;***
 - b) Transportation to the Sanctuary;***
 - c) Obtaining all consents and permits necessary;***
 - d) Refurbishment;***
 - e) Installation;***
 - f) Ongoing maintenance; and***
- 3. Agrees that the old Saltwater Creek Bridge is included as an asset of the Brook Waimārama Sanctuary Trust and appended to its lease agreement with the Council.***

Bowater/Skinner

Carried

12. Exclusion of the Public

Resolved CL/2021/034

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:***

Skinner/Fulton

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 18 February 2021	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	Economic development outcomes and strategic priorities for the Nelson Regional Development Agency Letter of Expectation	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
4	Council Confidential Status Report - 18 March 2021	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into confidential session at 3.30p.m. and resumed in public session at 4.07p.m., at which time the meeting was adjourned until 4.12p.m.

A request was made that the minutes note that matters in relation to the Science and Technology Precinct involving the Cawthron Institute (included in the Confidential Status Report) could now be made publicly available, and that officers were working on releasing the information on to Council's *Decisions Released from Confidential Session webpage*. Councillor Brand was thanked for highlighting this point.

Karakia Whakamutunga

Her Worship the Mayor gave a closing karakia.

RESTATEMENTS

It was resolved while the public was excluded:

2	CONFIDENTIAL: Economic development outcomes and strategic priorities for the Nelson Regional Development Agency Letter of Expectation
	<i>That the Council</i> 5. <u>Agrees</u> that Report (R22517), Attachment (A2571970) and the decision remain confidential at this time.

There being no further business the meeting ended at 4.14p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date