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**Minutes of a meeting of the  
Nelson City Council  
Te Kaunihera o Whakatū**

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,  
Nelson on Thursday 12 August 2021, commencing at 9.03a.m.**

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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) and Governance Adviser (E Stephenson)

Apologies : Nil

**Karakia and Mihi Timatanga**

**1. Apologies**

There were no apologies.

**2. Confirmation of Order of Business**

Her Worship the Mayor advised that Item 9 – Infrastructure Acceleration Fund: Developer-led Expressions of Interest would be considered following Public Forum. She noted that the Tahunanui Business and Citizens Association's public forum request had been cancelled and would come to a later Council meeting, and that she would speak briefly to the Mayor's Report prior to the Infrastructure Acceleration Fund for her introductory comments on housing.

**3. Interests**

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

#### **4. Petition - Delaware Bay Boat Access Group**

Document number R26129

Peter Ruffell spoke to the Group's petition (A2720699), which was presented to her Worship the Mayor by Mr Ruffell's grandchildren, Shakana and James. Mr Ruffell tabled supporting information (A2727998).

Mr Ruffell thanked the petition signatories and introduced Marine Scientist, Rod Asher, to talk about the environmental effects on the estuary. Mr Asher spoke about mapping and surveying of the estuary since 1976, and said that, over that time there had been no appreciable effect on the estuary due to the type of sediment. He felt the Delaware inlet was still in the good condition it was 40 years ago and that it was the only calm safe spot for boat launching in the area; an ideal safe permanent channel and deep enough for modern boats, providing it was used respectfully. He felt the estuary should be available to every New Zealand citizen, with no favour to any one group and that there was room for everybody to use it safely.

Mr Ruffell spoke of the history of the boat launching spot, noting that it was Crown-owned land and he felt that there should be total access to the foreshore and seabed. He said that the Group was happy to work with iwi.

Her Worship the Mayor noted that the matter was the subject of legal proceedings and thanked the presenters.

##### **Attachments**

- 1 A2720699 - Delaware Bay Boat Access Group Petition
- 2 A2727998 - Delaware Bay Boat Access Group tabled supporting information

#### **5. Public Forum**

- 5.1. Tahunanui Business and Citizens Association Inc - Waka Kotahi Proposals for Tahunanui Drive and the Effects of those Proposals

This public forum request was withdrawn.

- 5.2. Neville Male - The Actions of Councillors and NCC Staff associated with the Extinction Rebellion Protest.

Document number R26085

Neville Male, on behalf of the Nelson Citizens Alliance, spoke about the action of Councillors and Council staff relating to the Extinction Rebellion protest. He questioned how the protest was managed and felt that Council should be well prepared for and learn lessons from each occasion. He questioned security, building surveillance, procedures implemented and

Police action on the day. Mr Male felt that a review of Council's Code of Conduct was required.

Councillor Lawrey raised a Point of Order that a statement made by Mr Male that he knew in advance about the protest was misrepresentation. The Point of Order was upheld as it was not possible to determine whether that was the case at this meeting. Mr Male advised that he would lodge a formal letter voicing his concerns.

Her Worship the Mayor noted that the handling of the protest would be included in a future Audit, Risk and Finance agenda for discussion and that a review of the Code of Conduct was in hand.

### 5.3. Save the Maitai - Update on Campaign

Document number R26131

Dan Levy and Mic Dover, from Save the Maitai, provided an update on the campaign.

Mr Dover spoke of continued support for the campaign, ongoing media coverage, submissions, letters to Council and fund raising. He felt that the proposal of a developer-led project threatened Nelson, which needed smart growth. He felt that future housing demands could be met without developing the Maitai Valley. He felt that any acceleration of the project was of extreme concern, and that this was the only opportunity to provide views on the project being included in the Infrastructure Acceleration Fund (IAF) application. He asked Elected Members to reject the recommendation or abstain from voting as he felt the Fund's criteria were not being met. He questioned the degree of significance and level of engagement of the IAF item and tabled speaking notes (A2727971).

#### **Attachments**

- 1 A2727971 - Save the Maitai tabled speaking notes

## **6. Mayor's report (Agenda Item 8)**

Her Worship the Mayor framed the housing situation for the Nelson Tasman region, which had been classed as Tier 2 in the National Policy Statement for Urban Development but she felt that the region should be Tier 1. She noted an 88% increase in house prices, with 38% of income being spent on rent or mortgages, which was higher, as a percentage, than Auckland. The effect of those statistics meant that the region's businesses wanted to grow but could not attract and retain skilled staff and essential workers because of housing cost issues.

The Mayor acknowledged the need for change and thanked Elected Members for prioritising housing in the Long Term Plan. She noted that intensification alone was not enough, and a combination of smart

thinking, ensuring supply and affordability and fostering relationships to deliver affordable housing as a number one priority was required.

She noted that the Infrastructure Acceleration Fund proposals were at the Expressions of Interest (EOI) stage and highlighted the need to ensure that opportunities were not lost. She felt that the region not been visible at central government level as far as securing investment. The Mayor had spoken with Mayor King, and both wanted to secure funding to deal with the housing crisis in the region, which was consistent with housing being the top priority for Council and the community.

The Mayor's report was adjourned, to be revisited later in the meeting.

## **6. Infrastructure Acceleration Fund: Developer-led Expressions of Interest (Agenda Item 9)**

Document number R26027, agenda pages 64 - 136 refer.

Group Manager Infrastructure, Alec Louverdis, noted a correction to agenda page 68, paragraph 5.2.4, which incorrectly stated 750 dwellings, this should be 350.

Mr Louverdis provided a precis of the process, and advised that officers now proposed Council support for all four proposals, rather than the three indicated in the agenda report.

The developers in attendance were invited to speak to their proposals:

- Iain Sheves – Wakatū Inc, provided a PowerPoint presentation (A2730288). Mr Sheves clarified the area of the development, noted the challenges and opportunities, the intergenerational outcomes, the vision and that the affordable housing leasehold models were unattractive to speculators or investors.

Mr Sheaves answered questions regarding stormwater management, the need for a plan change, environmental impacts, timeframes, delivery methods and intergenerational outcomes.

- Hemi Toia – Ngāti Koata Trust, spoke to a PowerPoint presentation (A2726547). Mr Toia spoke of the importance of the people, how successful IAF projects would provide a housing solution for Nelson, the Trust proposal's supporters, the challenges of access and the cost of land. He noted that IAF funding would provide the opportunity for early access and reduced cost to approximately 100 of the planned sections. He spoke of the aspirations of the Maitahi Development, noting that it would still proceed without funding however, with funding, it could also deliver a housing solution that would be life changing for people.

A waiata was given in support of the presentation.

Mr Toia answered questions regarding climate change design elements, the number of houses and the affordable housing component and the inclusion of funding in the full application if the proposal was successful in the first stage.

The meeting was adjourned from 10.42am until 11.01am.

Mr Toia answered further questions regarding the enablement of access to affordable homes, the project timeframe, water quality and traffic effects and reliance on the IAF funding for provision of the affordable homes.

- Scott and Simon Gibbons – Gibbons, provided a PowerPoint presentation (A2726725). Scott Gibbons spoke of the history and location of the Bishopdale land, noting that a consent had been granted for over 100 sections, the company had applied for a special housing area (HASHA) in 2017 and was advanced in negotiations with a community housing provider, with 60% of the sections targeted for affordable homes. He noted the connection to Waimea Road, and believed the proposal met the criteria for the IAF funding, which he felt was critical to reduce the cost of supplying affordable housing.

Mr Gibbons answered questions regarding the cost of affordable homes, connections with Waimea Road, connectivity for pedestrians and cyclists to get to the Railway Reserve and the upper end of Vista Heights, climate change mitigation and geotechnical constraints.

Her Worship the Mayor reiterated the focus of today's decision and noted that there would need to be a change to the recommendations to reflect support for the Bishopdale proposal and the fact that Council would lead the application to the IAF.

Mr Louverdis clarified that he had met with the Gibbons team and discussed the previous rating and, in light of the fact that Gibbons was partnering with housing providers, connections with Waimea Road, and alignment with Council priorities, officers were now comfortable with supporting the proposal for inclusion in the IAF application.

Mr Louverdis, together with Team Leader City Development, Lisa Gibellini, Manager Utilities, David Light and Manager Transport and Solid Waste, Marg Parfitt, answered questions regarding the IAF application, including:

- Council taking the lead in the application
- Contributions to proposals
- The Kāinga Ora process
- Staff resourcing and capacity
- Possible reprioritisation of existing projects
- Timeframes
- Reporting back on implications regarding delivery of projects if the application was successful
- Ensuring the final EOIs were consistent with today's discussions
- Triggering of the Significance and Engagement Policy

Councillor Skinner raised a Point of Order against Councillor Sanson for disrespectful/offensive comments suggesting that Council officers were biased. The Point of Order was upheld and Mayor Reese asked the Chief Executive for his comments.

The Chief Executive, Pat Dougherty advised that officers had been working under a lot of pressure to get the report to Council. He felt the suggestion that officers were favouring one developer over another was unacceptable and equated to impugning staff. It was noted that the change to the officer recommendations reflected the pace of the challenge.

Councillor Sanson raised a Point of Order against Her Worship the Mayor for misinterpreting her questions. The Point of Order was not upheld.

The meeting was adjourned from 12.08pm until 12.15pm, at which time, Councillor Skinner was not present.

A question was answered regarding the benefits/risks of the inclusion of multiple proposals.

Attendance: Councillor Skinner returned to the meeting at 12.17pm.

Questions were answered regarding the impact on Nelson's transport system, which would be an ongoing piece of work, the possibility of out of town buyers of the affordable housing and the benefits of improved infrastructure capacity to future developments.

The officers' recommendation, amended to reflect Council's lead in the application and support for the Bishopdale EOI, was moved by Councillor Edgar and seconded by Councillor Skinner.

Further questions were answered regarding staff resourcing, regional balance affecting Kāinga Ora weighting of applications, ownership of the land between the proposed site and the sewage treatment plant in the Whakatū proposal, engagement, climate change mitigation and sustainable transport as part of the affordable housing thinking, assurance that the final EOIs would reflect what had been presented to Council today and that if not, further conversations would be necessary and the expectation of the need for minor editorial changes.

The motion was taken in parts.

Resolved CL/2021/132

***That the Council***

- 1. Receives the report Infrastructure Acceleration Fund: Developer-led Expressions of Interest (R26027) and its attachments (A2704700, A2714336, A3904008, A2711258, A2716113, A2720023, A2713299 and A2719661).***

Edgar/Skinner

Carried

Resolved CL/2021/133

***That the Council***

***2. Includes the following developer Expressions of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that this decision is in no way intended to fetter any future Council decision-making in relation to the proposals, including in its regulatory capacity:***

***a. Wakatū Incorporation (Horoirangi, A2711258).***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor	Cr Lawrey	
Reese (Chairperson)	Cr Rainey	
Cr Bowater		
Cr Brand		
Cr Courtney		
Cr Edgar		
Cr Fulton		
Cr O'Neill-Stevens		
Cr McGurk		
Cr Noonan		
Cr Sanson		
Cr Skinner		

motion was carried 11 - 2.

Edgar/Skinner

Carried

Resolved CL/2021/134

***That the Council***

***2. Includes the following developer Expression of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that this decision is in no way intended to fetter any future Council decision-making in relation to the proposals, including in its regulatory capacity:***

***b. Maitai Development Co "Maitahi" (Kaka Valley, A2716113).***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
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Her Worship the Mayor      Cr Lawrey  
Reese (Chairperson)      Cr Rainey  
Cr Bowater      Cr Sanson  
Cr Brand  
Cr Courtney  
Cr Edgar  
Cr Fulton  
Cr O'Neill-Stevens  
Cr McGurk  
Cr Noonan  
Cr Skinner  
The motion was carried 10 - 3.

Edgar/Skinner

Carried

Resolved CL/2021/135

***That the Council***

- 2. Includes the following developer Expression of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that this decision is in no way intended to fetter any future Council decision-making in relation to the proposals, including in its regulatory capacity:***
- c. Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley, A2720023).***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor Reese (Chairperson) Cr Bowater Cr Brand Cr Courtney Cr Edgar Cr Fulton Cr O'Neill-Stevens Cr McGurk Cr Noonan Cr Rainey Cr Sanson Cr Skinner	Cr Lawrey	

The motion was carried 12 - 1.

Edgar/Skinner

Carried



Resolved CL/2021/136

***That the Council***

***2. Includes the following developer Expression of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that this decision is in no way intended to fetter any future Council decision-making in relation to the proposals, including in its regulatory capacity:***

***d. Gibbons (Bishopdale, A2713299).***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor Reese (Chairperson)	Nil	Nil
Cr Bowater		
Cr Brand		
Cr Courtney		
Cr Edgar		
Cr Fulton		
Cr Lawrey		
Cr O'Neill-Stevens		
Cr McGurk		
Cr Noonan		
Cr Rainey		
Cr Sanson		
Cr Skinner		

The motion was carried 13 - 0.

Edgar/Skinner

Carried

Resolved CL/2021/137

***3. Notes that a further report will be brought to Council once Kāinga Ora has decided which, if any, of these Expressions of Interest will be invited to respond to a Request for Proposals process detailing:***

- The required level of Council investment in infrastructure to support each qualifying development; and***
- Whether or not this funding is included in the Long-Term Plan 2021-31 and which year(s); and***
- The impact of prioritising any capital projects that support qualifying development on the phasing of***

**other capital projects within the Long-Term Plan 2021-31 work programme; and**

- **The capacity of Council to deliver multiple additional infrastructure projects within the required timeframe.**

**Attachments**

- 1 A2730288 - Wakatū Inc Powerpoint presentation
- 2 A2726547 - Ngāti Toia PowerPoint presentation
- 3 A2726725 - Gibbons PowerPoint Presentation

Edgar/Skinner

Carried

The meeting was adjourned from 1.04pm until 2.03pm. at which time Councillor Skinner was not present.

It was agreed that Confidential Agenda Item 6 – Infrastructure Acceleration Fund: Council-led Expression of Interest would be considered next.

**Exclusion of the Public**

Resolved CL/2021/138

***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/Bowater

Carried

<p><b>6.</b></p>	<p><b>Infrastructure Acceleration Fund: Council-led Expression of Interest</b></p>	<p>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</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or</li> </ul>
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			disadvantage, negotiations (including commercial and industrial negotiations)
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The meeting went into confidential session at 2.03pm and resumed in public session at 2.40pm.

It was agreed that Agenda Item 10 – Representation Review Initial Proposal would be considered next.

## **7. Representation Review Initial Proposal (Agenda Item 10)**

Document number R25896, agenda pages 137 - 196 refer.

Manager Governance and Support Services, Devorah Nicuarta-Smith spoke to the report, highlighting the primary focus of the initial proposal. She noted that Council was obliged to follow mesh blocks managed by Statistics New Zealand and that a number of options had been put through a viability assessment, with several not meeting the fairness rule. She answered questions regarding next steps, public notification and resources to ensure the information was promoted widely. Ms Nicuarta-Smith clarified the process and answered questions on models and the rationale being cognisant of the fairness rule. The potential for confusion relating to ward candidates campaigning in the same areas as 'at large' candidates was noted and Ms Nicuarta-Smith confirmed that the public would be provided with all of the permutations on which to provide feedback.

Attendance: Councillor O'Neill-Stevens left the meeting at 2.56pm.

It was requested that the minutes note that on 11 May 2021 Council had made a decision to create a Nelson Māori ward, and also note the suggestion that the wards be given Māori names in recognition of that landmark decision.

Resolved CL/2021/141

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

- 1. Receives the report Representation Review Initial Proposal (R25896) and its attachments (A2712103 [survey feedback], A2719650 [Ward Option assessments], A2715296 [Two Ward boundary outline], A2712591 [Three Ward boundary outline]) and A2720247 [Four Ward boundary outline]; and***
- 2. Adopts the following initial representation proposal (Option 4a):***
  - a. That the Nelson City Council consist of a mayor and 12 councillors; and***

**b. That two General Wards be established as follows:**

<b>Name</b>	<b>Boundaries</b>
Central Ward	As outlined in attachment A2715296
Stoke-Tahuna Ward	As outlined in attachment A2715296

**i. Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, a decision which cannot be appealed to the Local Government Commission; and**

**c. That a mixed system of voting be established, as follows:**

	<b>Members</b>	<b>Popn. per Ward councillor</b>
At large (all voters)	Mayor	N/A
	Three councillors	N/A
Central Ward (General roll)	Four councillors	6,458
Stoke-Tahuna Ward (General roll)	Four councillors	6,370
Whakatū Māori Ward (Māori roll)	One councillor	3,320

**and**

**d. That no community boards be established; and**

**3. Agrees that public notification of the initial proposal and opportunity to submit on the proposal will be undertaken in line with the statutory requirements of section 19M of the Local Electoral Act 2001.**

McGurk/Courtney

Carried

**Extension of Meeting Time**

Resolved CL/2021/142

***That the Council***

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

Her Worship the Mayor/Rainey

Carried

**8. Confirmation of Minutes (Agenda Item 6)**

8.1 24 June 2021

Document number M18738, agenda pages 12 - 45 refer.

It was requested that the 24 June 2021 minutes be amended on agenda page 17 to say ...Councillor Sanson had described clear fell forestry as 'strip mining' in her debate.

Resolved CL/2021/143

***That the Council***

1. ***Confirms the amended minutes of the meeting of the Council, held on 24 June 2021, as a true and correct record.***

Edgar/Courtney

Carried

8.2 1 July 2021

Document number M18768, agenda pages 46 - 58 refer.

Resolved CL/2021/144

***That the Council***

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

Edgar/Courtney

Carried

**9. Recommendations from Committees (Agenda Item 7)**

**9.1 25 May 2021 Audit, Risk and Finance Subcommittee**

9.1.1 Draft Annual Internal Audit Plan for year to 30 June 2022

Resolved CL/2021/145

***That the Council***

- 1. Approves the Draft Annual Internal Audit Plan for the year to 30 June 2022 (A2601457).**

Her Worship the Mayor/Edgar

Carried

## **9.2 Urban Development Subcommittee - 29 July 2021**

### **9.2.1 Housing and Business Capacity Assessments for Nelson City and Nelson-Tasman's urban environment**

Councillor Edgar spoke to the recommendation and explained the changes that had been made at the Urban Development Subcommittee meeting and that an additional officer's recommendation had been tabled to reflect work that had already been done.

Senior City Development Adviser, Gabrielle Thorpe, and Strategy and Environment Senior Analyst, Chris Pawson, answered questions regarding the Housing and Business Capacity Assessments.

Attendance: Councillor Fulton left the meeting from 3.40pm until 3.46pm, Councillor Skinner left the meeting at 3.41pm, and Councillor O'Neill-Stevens returned to the meeting at 3.42pm.

Questions were answered regarding overlays and residential development capacity and it was noted that the National Policy Statement for Urban Development required Council to use its current plan and the information was a point in time.

Recommendation to Council CL/2021/146

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

- 1. Approves the housing bottom lines be adopted for inclusion into Nelson City Council's district plan/regional policy statement as set out in this report *Housing and Business Capacity Assessments for Nelson City and Nelson-Tasman's urban environment (R24829)*; and**
- 2. Notes that the Minister of the Environment will be notified of the insufficiency of development capacity for housing for the Nelson part of the urban environment as set out in this report (R24829); and**
- 3. Delegates to the Mayor and Chief Executive the authority to confer with the Tasman District Council regarding any minor editorial amendments to the *Nelson-Tasman Housing and Business Capacity Assessment report (A2688455)*; and**

4. ***Notes the recommendations from the Housing and Business Capacity Assessments as set out in this report (R24829); and***
5. ***Notes an amendment to section 6 paragraph 1.1.4 on page 15 of the National Policy Statement on Urban Development: Nelson and Tasman Tier 2 Urban Environment: Housing and Business Assessment as per tabled document (A2726827).***

Edgar/McGurk

Carried

## **10. Mayor's Report (Agenda Item 8 (revisited))**

Document number R26067, agenda pages 59 - 63 refer.

A copy of the Nelson City Council and Kāinga Ora's Relationship Agreement (A2696065) was tabled.

Her Worship the Mayor spoke to her report, noting that a Three Waters Workshop would take place and that this was a complex matter. She noted that work was being undertaken on the Housing Reserve and that she would be speaking at an affordable housing investment summit in Auckland on Tuesday 17 August.

The Mayor noted that a submission on the Government Policy Statement on Housing and Urban Development Discussion document would be included in the 26 August Mayor's Report. She congratulated Nelson College for Girls, as a finalist in the Education Excellence Awards.

The Mayor advised that advocacy work was being undertaken for a more regular opportunity to change between the general and Māori electoral rolls, which was a complementary part to the Māori ward decision.

Discussion took place on the proposed Standing Orders changes.

Attendance: Councillor Skinner returned to the meeting at 4.14pm.

Concerns were raised regarding the change to Standing Order 15.3 and Councillor Lawrey foreshadowed an amendment to delete the change to Standing Order 15.3, should the motion be lost.

The motion was taken in parts.

Resolved CL/2021/147

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

1. ***Receives the report Mayor's Report (R26067).***

Her Worship the Mayor/Edgar

Carried

Resolved CL/2021/148

***That the Council***

**2. Amends the following clause of Nelson City Council Standing Orders, section to state:**

Minutes

26.1 *"The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. When confirmed by resolution at a subsequent meeting, or in the case of a meeting with rotating membership, by the electronic signature of the Chairperson, will be prima facie evidence of the proceedings they relate to."*

Her Worship the Mayor/Edgar

Carried

It was suggested that the removal of the word "Council," would clarify that petitioners could present **either** to the Council, or the delegated committee, but not choose which committee they would like to present to. The change was agreed to by the mover and the seconder.

Resolved CL/2021/149

**3. Adds the following clause to Nelson City Council Standing Orders, to state:**

Petitions

15.3 "In the case of presenting a petition to a committee, subcommittee, local or community board, the subject of the petition must fall within the terms of reference of that meeting."

Her Worship the Mayor/Edgar

Carried

**Attachments**

1 A2696065 NCC and Kāinga Ora Relationship Agreement

**11. Exclusion of the Public**

Resolved CL/2021/150

***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/Bowater

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>Council Meeting - Confidential Minutes - 24 June 2021</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)(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.</li> <li>• Section 7(2)(g) To maintain legal professional privilege.</li> </ul>
2	<b>Council Meeting - Confidential Minutes - 1 July 2021</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		which good reason exists under section 7.	<ul style="list-style-type: none"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)•</li> </ul>
<b>3</b>	<p><b>Recommendations from Committees (Confidential)</b></p> <p><b>3 August 2021 Strategic Development and Property Subcommittee</b></p> <p>Tahuna Beach Camp – Community Engagement on the Proposed Lease of the Campground</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
<b>4</b>	<p><b>Nelmac Limited Director Appointment</b></p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
5	<b>Nelmac Limited Director Reappointment</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)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
6	<b>Nelmac Limited final Statement of Intent 2021/22</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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>

The meeting went into confidential session at 4.35pm and resumed in public session at 4.51pm.

### **Karakia Whakamutunga**

There being no further business the meeting ended at 5.02pm.

### **RESTATEMENTS**

It was resolved while the public was excluded:

<b>1</b>	<b>Infrastructure Acceleration Fund: Council-led Expression of Interest (Agenda Item 6)</b>
	<p><i>That the Council</i></p> <p>5. <i>Agrees that the Report (R26027), attachments (A2714336, A2716458, A2721398 and A2716315) and the decision remain confidential at this time.</i></p>

<b>3</b>	<b>Tahuna Beach Camp - Community Engagement on the Proposed Lease of the Campground (Agenda Item 2)</b>
	<p><i>That the Council</i></p> <p>2. <i>Agrees that Report (R22722), Attachment (A2710240) and the decision be made publicly available once negotiations are concluded.</i></p>

<b>4</b>	<b>Nelmac Limited Director Appointment</b>
	<p><i>That the Council</i></p> <p>3. <i>Agrees that the decision only be made publicly available once the 2021 Nelmac Limited Annual General Meeting has taken place.</i></p>

<b>5</b>	<b>Nelmac Limited Director Reappointment</b>
	<p><i>That the Council</i></p> <p>3. <i>Agrees that the decisions only be made publicly available once the 2021 Nelmac Limited Annual General Meeting has taken place.</i></p>

<b>6</b>	<b>Nelmac Limited final Statement of Intent 2021/22</b>
	<p><i>That the Council</i></p> <p>1. <i>Receives the report Nelmac Limited final Statement of Intent 2021/22 (R25991) and its attachment (A2692697); and</i></p> <p>2. <i>Notes the delivery of the Nelmac Limited final Statement of Intent 2021/22 (A2692697) as required under the Local Government Act 2002; and</i></p> <p>3. <i>Adopts the final Nelmac Limited Statement of Intent (A2692697); and</i></p> <p>4. <i>Notes that the final Nelmac Limited Statement of Intent (A2692697) will be made publicly available on Council's website within one month of adoption as per legislation; and</i></p> <p>5. <i>Agrees that the decision be made publicly available; and</i></p> <p>6. <i>Notes that the Report (R25991) requires redacting, and once redacted, will be made publicly available.</i></p>

Confirmed as a correct record of proceedings by resolution on 23 September 2021.

Resolved CL/2021/183

*That the Council*

1. *Confirms the amended minutes of the meeting of the Council, held on 12 August 2021, as a true and correct record.*