



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

Held via Zoom on Thursday 2 September 2021, commencing at 9.03a.m.

Present: Her Worship the Mayor R Reese (Co-Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk (Co-Chairperson), 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 (W Irvine and S Herath)

Apologies : Nil

Karakia and Mihi Timatanga

Her Worship the Mayor opened the meeting with a karakia.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

There was no change to the order of business. Her Worship the Mayor noted that following the Mayor's Report, she would vacate the Chair in favour of Councillor McGurk, in his capacity as Chair of the Infrastructure Committee, apart from for consideration of the two bylaws.

3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared. Her Worship the Mayor requested that the Interests Register be circulated to Elected Members for any updates.

4. Public Forum

4.1. Jane Murray - Public Health Service - Submission #27676 to Water Supply Bylaw Review

Her Worship the Mayor recognised the work of the Public Health Service in response to the COVID-19 pandemic.

Jane Murray, representing the Public Health Service, spoke to the submission (27676). She noted strong support for the bylaw, particularly principle 2, the protection of source water, as this was the most significant barrier against contamination and illness. Ms Murray highlighted the benefit of good raw water quality prior to treatment, and referred to a number of contamination events in New Zealand.

In addition to the bylaw, she encouraged Council to think of a line in the sand approach regarding future developments, noting that the cumulative effects of incremental development may lead to irreversible contamination. She asked that the bylaw be considered the minimum standard for future catchment development proposals. Ms Murray answered questions regarding water quality.

5. Mayor's Report

Her Worship the Mayor expressed pride in the community response to COVID-19. She acknowledged the level of resilience in lockdown, but said that human reserves were stretched, people were tired and there was a lot of pressure on businesses unable to operate at these levels. The Mayor recognised the people working at this time under pressure and working punishing hours. Referring to Jehan Casinader's article on the Stuff website on 29 August (During Covid, spare a thought for our leaders' mental health) she acknowledged public servants, including all of the Council staff, working on the COVID response, highlighting the importance of messages of support. The Mayor said that she was impressed with the cohesion across the region. She highlighted the challenge of people not having food security, resulting in an increasing demand for food parcels and food banks. This had been relayed to central government, but the situation would not ease for a while, supply chain disruption would mean expensive groceries. She noted that some businesses been open in part, but that the hospitality sector been really affected again, and encouraged everyone to get out and support local businesses.

Her Worship the Mayor vacated the Chair and Councillor McGurk assumed the Chair.

6. Infrastructure Committee Chairperson's Report

Document number R26189, agenda pages 9 - 10 refer.

Councillor McGurk spoke to his report, acknowledging the Infrastructure team for achieving an infrastructure spend close to the \$40million budget, under trying circumstances.

Resolved CL/2021/162

That the Council

- 1. Receives the report Infrastructure Committee Chairperson's Report (R26189).***

McGurk/Edgar

Carried

7. Transport Activity Management Plan 2021-31

Document number R22594, agenda pages 11 - 20 refer.

Manager Transport and Solid Waste, Marg Parfitt, presented the report. She noted minor typographical errors in the Activity Management Plan (AMP) and the inclusion of an additional recommendation delegating approval of minor amendments. She answered questions regarding Waka Kotahi funding for public transport and Railway Reserve lighting improvements.

Resolved CL/2021/163

That the Council

- 1. Receives the report Transport Activity Management Plan 2021-31 (R22594) and its attachment (A2720012); and***
- 2. Agrees that the Infrastructure Committee Chairperson and Group Manager Infrastructure be delegated to approve any minor amendments required to the Transport Activity Management Plan; and***
- 2. Adopts the revised Transport Activity Management Plan 2021-31 (A2437268).***

Edgar/O'Neill-Stevens

Carried

8. **Solid Waste Activity Management Plan 2021-31**

Document number R22597, agenda pages 21 - 44 refer.

Manager Transport and Solid Waste, Marg Parfitt, presented the report, noting that it was the final step in the process, with no material changes as a result of the Long Term Plan decisions. She answered questions regarding recycling bins, the kitchen waste trial, funding for the battery facility adjustment in year 1, building materials contributing to an increase in waste to landfill, deconstruction for secondary markets, emissions reduction and soft plastic recycling.

An additional clause was added delegating minor amendments to the Activity Management Plan.

A change was noted to the processing methods for kitchen waste (agenda page 76) from what was included in the Long Term Plan Consultation Document, which specified the creation of compost as a product of food waste. The AMP now included other options as well as composting and it was agreed that the Councillor McGurk would look at the wording for consistency and work with officers via the minor amendments clause that had been added.

Resolved CL/2021/164

That the Council

- 1. Receives the report **Solid Waste Activity Management Plan 2021-31 (R22597) and its attachment (A2462529); and*****
- 2. Agrees that the **Infrastructure Committee Chairperson and Group Manager Infrastructure be delegated to approve any minor amendments required to the Solid Waste Activity Management Plan 2021-31; and*****
- 3. Adopts the revised **Solid Waste Activity Management Plan 2021-31 (A24686119).*****

Edgar/Courtney

Carried

The meeting was adjourned from 10.05am until 10.18am, at which time Councillor McGurk vacated the Chair and Her Worship the Mayor resumed the Chair.

9. **Water Supply Bylaw (228) - Deliberations Report**

Document number R23720, agenda pages 45 - 58 refer.

Activity Engineer - Water Supply and Stormwater, Phil Ruffell, spoke to the report and questions were answered regarding the use of four wheel drive vehicles on the Maungatapu Track, dog walking via permits, approved tracks, forestry activities, sediment levels, contamination due

to sheep faeces, water filtration and removal of chemicals. An additional clause to delegate authority for minor amendments was added to the recommendation.

Mr Ruffell clarified that the bylaw would form the basis of what Council does in future years and reiterated that Council undertakes rigorous water testing of both water source and treated water.

Resolved CL/2021/165

That the Council

- 1. Receives the report Water Supply Bylaw (228) - Deliberations Report (R23720) and its attachments (A2385695, A2723242, A2646901, A2717283, A1323825); and***
- 2. Approves the following changes to the Water Supply Bylaw (228) 2021 (A2385695) of Report R23720:***
 - Amend the wording of clause 8.2(i) to read 'Walking/jogging on Council approved tracks'; and***
 - Amend the wording of clause 8.2(ii) to read 'Mountain biking on Council approved tracks'; and***
 - Add new clauses 8.2 (iii), (iv), (v) and (vi) to reflect specific existing activities currently being undertaken within the catchment. Clauses to read:***
 - (iii) Subject to 8.3 (ix) hereunder, driving a motor vehicle (including a motor cycle) on the Maungatapu Track. (Note: This track is generally only suitable for four wheel drive vehicles.)***
 - (iv) Iwi carrying out activities in the reserves which are provided for in any legislation enacting Deeds of Settlement between Iwi and the Crown.***
 - (v) Activities required for the undertaking of Council water supply, road, track and facility maintenance, regulatory or scientific functions - not covered by (i), (ii) or (iii) above, where these have been authorised by Council, any regulatory consents granted and the caretaker has been consulted as to timing and location.***
 - (vi) Motor vehicle access on formed public roads.***

- ***Amend the wording of clause 8.3(viii) to read 'Walking/jogging/mountain biking off Council approved tracks'; and***
 - ***Amend the wording of clause 8.3(ix) to read 'Driving a four wheeled motor vehicle or any organised motor sport on the Maungatapu Track. (Note: This track is generally only suitable for four wheel drive vehicles and a \$100 bond is required for the permit for four wheeled motor vehicles)'; and***
 - ***Amend the wording of clause 8.3(x) to read 'Subject to 8.2(v) construction or maintenance activities not associated with the Nelson City Water Supply (Source Protection Zones 2 and 3 only)'; and***
 - ***Amend the wording of clause 8.5(ii) to read 'Depositing any contaminant (subject to 8.3(vi)), refuse or waste material of any kind, including defecating, other than in an authorised facility'.***
3. ***Delegates authority to approve any further minor technical amendments to the Water Supply Bylaw (228) 2021 to the Chair of the Infrastructure Committee and the Chief Executive; and***
 4. ***Adopts the Water Supply Bylaw (228) 2021 (A2385695) of Report R23720.***

Skinner/Brand

Carried

10. Wastewater Bylaw (229) - Deliberations Report

Document number R23721, agenda pages 59 - 64 refer.

Activity Engineer – Wastewater, Warren Biggs, presented the report providing a background of the process. An additional clause to delegate authority for minor amendments was added to the recommendation.

Resolved CL/2021/166

That the Council

1. ***Receives the report Wastewater Bylaw (229) - Deliberations Report (R23721) and its attachments (A2575490, A2723952, A2720764, A2720763, A1584235); and***

2. ***Delegates authority to approve any further minor technical amendments to the Wastewater Bylaw (229) to the Chair of the Infrastructure Committee and the Chief Executive; and***
3. ***Adopts the Wastewater Bylaw (229) 2021 (A2575490) of Report R23721.***

McGurk/Skinner

Carried

Her Worship the Mayor vacated the Chair and Councillor McGurk resumed the Chair. The meeting was adjourned from 10.56am until 11.07am., at which time Her Worship the Mayor was not present.

11. Infrastructure Quarterly Report

Document number R25907, agenda pages 65 - 146 refer.

Manager Capital Projects, Lois Plum, spoke to the report, noting a busy final quarter with a record level of projects finalised despite a lot of rain and storms. She highlighted that there were a number of requests for additional funding, and a high risk that more would be needed for upcoming work as a result of COVID-19. She said that officers were unable to accurately predict costs relating to supply and delivery delays, resourcing issues and increased resource costs.

In light of the requests for unbudgeted expenditure, and the effects of COVID-19, an additional clause was added to the recommendation to review the entire capital works programme.

Questions were answered by Ms Plum, Group Manager Infrastructure, Alec Louverdis, Manager Transport and Solid Waste, Marg Parfitt and Manager Utilities, David Light, including:

- Seymour Avenue improvements
- Increased availability of Bee cards
- Responsibility for vegetation and cut downs
- Unbudgeted additional expenditure
- Housing numbers in the Washington Reserve
- The streamlined procurement process
- City centre parking and infringement fees
- Aeration of the Maitai Dam and water quality
- Wastewater figures
- Revaluation of assets
- Consultation on the Airlie Street upgrade
- The litter baskets trial

- Solid waste minimisation and construction demolition secondary markets
- The kitchen waste trial
- Uses of recycled plastic (it was reiterated that no plastic was exported)

Attendance: Her Worship the Mayor returned to the meeting at 12.01pm.

Question topics (continued)

- Non achievement of the solid waste measure (due to the effects of COVID-19 and inability to travel increasing the amount of home renovations)
- Climate impact
- Safety of cyclists when infrastructure work was undertaken at night
- Innovative streets and the drop in speed and effect on other areas
- Konini Street as a possible speed reduction trial site

In response to a questions regarding the feasibility of staff being able to complete a review of the work programme, Mr Louverdis confirmed that he was in support of the additional recommendation to review the entire capital works programme, however it would add to the workload but staff would do their best to get a report to the next committee meeting.

The motion was taken in parts.

Resolved CL/2021/167

That the Council

- 1. Receives the report Infrastructure Quarterly Report (R25907) and its attachments (A2708002 and A2482475); and***

Edgar/Brand

Carried

Resolved CL/2021/168

That the Council

- 2. Approves changes to the funding for the Airlie Street stormwater upgrade, to allow construction to be undertaken in the 2021/22 financial year as planned:***
 - unbudgeted additional capital funding of \$300,000; and***
 - to bring forward \$50,000 from 2022/23 into 2021/22; and***

Edgar/Brand

Carried

Resolved CL/2021/169

That the Council

- 3. Approves unbudgeted additional capital funding of \$250,000 for the Wastney Terrace stormwater upgrade to allow construction works to be undertaken in the 2021/22 financial year as planned; and***

Edgar/Brand

Carried

Resolved CL/2021/170

That the Council

- 4. Approves unbudgeted additional capital funding of \$226,000 for the relocation of the stormwater reticulation across the proposed Science and Technology Precinct, that will allow commencement of works to achieve completion by December 2021, noting that this will increase Council's overall contribution to this project to \$5.726M but that this could be offset from possible savings from the Wakatu Storage World stormwater project; and***

Edgar/Brand

Carried

Resolved CL/2021/171

That the Council

- 5. Approves unbudgeted additional capital funding of \$1.383M for stage 1 of the Washington Valley upgrade project, that will allow the award and commencement of stage 1 of the project (being Hastings Street) to be phased over two financial years – 2021/22 (\$3.9M) and 2022/23 (\$2.4M), noting that estimates for stages 2 and 3 will be refined as part of the Annual Plan processes; and***

Edgar/Brand

Carried

Resolved CL/2021/172

That the Council

- 6. Requests staff to undertake a review of the financial viability and deliverability of the 2021-22 to 2023-24 capital works programme due to the impact of COVID-19 on supplier costs and product delays and to report back to the next Infrastructure Committee meeting.**

Edgar/Brand

Carried

12. Exclusion of the Public

Resolved CL/2021/173

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:***

Noonan/O'Neill-Stevens

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	Land Purchase - Stoke	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			negotiations (including commercial and industrial negotiations)

The meeting went into confidential session at 12.32pm and resumed in public session at 12.32pm.

RESTATEMENTS

It was resolved while the public was excluded:

1	Land Purchase - Stoke
	<p><i>That the Council</i></p> <p>5. <i>Agrees that report R26169 and the decision be made publicly available once a sale and purchase agreement becomes unconditional.</i></p>

Karakia Whakamutunga

Her Worship the Mayor gave a closing karakia.

There being no further business the meeting ended at 1.08pm.

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

Resolved CL/2021/174

That the Council

1. *Confirms the amended minutes of the meeting of the Council, held on 2 September 2021, as a true and correct record.*