
**Minutes of a meeting of the
Nelson City Council**

Te Kaunihera o Whakatū

Held in the Council Chamber, Floor 2A, Civic House, 110 Trafalgar Street, Nelson on Thursday 13 April 2023, commencing at 9.00a.m.

Present: His Worship the Mayor N Smith (Chairperson), R O'Neill-Stevens (Deputy Mayor), Councillors M Anderson, T Brand, M Courtney, J Hodgson, K Paki Paki, P Rainey, C Rollo, R Sanson and T Skinner

In Attendance: Chief Executive (N Philpott), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (D Bush-King), 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 Assistant Governance Adviser (A Bryce-Neumann)

Apologies: Apologies were received from Councillors M Benge and A Stallard, with apologies for lateness from Councillor Anderson

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2023/062

That the Council

- 1. Receives and accepts the apologies from Councillors M Benge and A Stallard, and Councillor Anderson Hodgson for lateness.***

Courtney/Paki Paki

Carried

2. Confirmation of Order of Business

His Worship the Mayor Hon Dr Smith advised that Item 10: NRDA Six Monthly Presentation and Statement of Intent would be considered at 12.00m.d., followed by Confidential Item 5: Future Options for Nelson Visitor Information Services.

Mayor Smith noted that he would need to leave the meeting on Council business then to attend the funeral of Siri Hodgson, and passed Councils' condolences to her family.

3. Interests

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

Councillor Rainey subsequently declared an interest in Item 10: NRDA Six Monthly Presentation and Statement of Intent.

Attendance: Councillor Hodgson joined the meeting at 9.08a.m.

Attendance: His Worship the Mayor Hon Dr Smith vacated the chair and left the meeting on local government business at 9.08a.m. Deputy Mayor O'Neill-Stevens assumed the chair.

4. Public Forum

4.1. Nelson RSA - RSA's policy and views on the future of Stoke's war memorials.

Ian Barker (member) and Zoe Norquay (Chairperson) from Nelson RSA spoke about their policy and views on the future of Stoke's war memorials and their goal of ensuring the loss of Stoke boys in both wars continued to be honoured (speaking notes tabled 1982984479-5797).

Attendance: His Worship the Mayor joined the meeting at 9.20am and assumed the chair.

Attachments

1 1982984479-5797 Tabled Document Public Forum Ian Barker and Zoe Norquay Nelson RSA

5. Confirmation of Minutes

5.1 9 March 2023

Document number M20043, agenda pages 14 - 28 refer.

Resolved CL/2023/063

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 9 March 2023, as a true and correct record.***

Skinner/Courtney

Carried

5.2 23 March 2023

Document number M20066, agenda pages 29 - 33 refer.

Resolved CL/2023/064

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 23 March 2023, as a true and correct record.***

Skinner/Courtney

Carried

5.3 3 April 2023 - Extraordinary Meeting

Document number M20077, agenda pages 34 - 36 refer.

Resolved CL/2023/065

That the Council

- 1. Confirms the minutes of the extraordinary meeting of the Council, held on 3 April 2023, as a true and correct record.***

Skinner/Courtney

Carried

6. Bishop Suter Trust Strategic Presentation

Document number R27382

Steve Green, Chairperson, Jane de Feu, iwi representative trustee, Julie Catchpole, Suter Director, and Ruth Roebuck, Suter Manager Commerce and Enterprise were in attendance to present to Council.

His Worship the Mayor Hon Dr Smith welcomed Steve Green as the new Chairperson. Ms Catchpole and Ms Roebuck spoke to a presentation (tabled 1982984479-5801) giving an update on the previous financial year, noting that in 2024 the Suter would be providing a service to Nelson Tasman for 125 years.

Ms Catchpole and Mr Green answered questions on their flood response, economics of remaining open during public holidays, Learning Experiences Outside The Classroom (LEOTC) funding and other funding sources.

Attendance: His Worship the Mayor Hon Dr Smith vacated the chair and left the meeting at 10.07a.m. Deputy Mayor O'Neill-Stevens assumed the Chair.

The meeting adjourned from 10.07am until 10.12a.m.

Attachments

1 1982984479-5803 Tabled Document PowerPoint Bishop Suter Trust

7. Bishop Suter Trust Half Yearly Report and Draft Statement of Intent 2023/28

Document number R27609, agenda pages 37 - 100 refer.

Strategic Adviser, Community Partnerships, Martin Croft took the report as read.

Resolved CL/2023/066

That the Council

- 1. Receives the report Bishop Suter Trust Half Yearly Report and Draft Statement of Intent 2023/28 (R27609) and its attachments (1511110536-629, 1511110536-630 and 1511110536-628); and***
- 2. Notes the delivery of the Bishop Suter Trust Draft Statement of Intent 2023/2028 (1511110536-630) as required under the Local Government Act 2002; and***
- 3. Notes that the Bishop Suter Trust Draft Statement of Intent 2023/2028 meets Council's expectations, as set out in the Letter of Expectations dated 16 Dec 2022.***

Rollo/Rainey

Carried

8. Nelson Centre of Musical Arts Strategic Presentation

Document number R27519

Alex Davidson and Maria Fillary, Trustees and James Donaldson, Director of Nelson Centre of Musical Arts spoke to their strategy and statement of intent (tabled 1982984479-8501).

Attachments

1 1982984479-8501 Tabled Document Nelson Centre of Musical Arts.pdf

9. Nelson Centre of Musical Arts' Draft Statement of Intent 2023/2025

Document number R27405, agenda pages 101 - 137 refer.

Strategic Adviser, Community Partnerships, Martin Croft took the report as read and answered questions on funding options.

Group Manager Community Services, Andrew White noted that Council's decisions in the draft Annual Plan affected different services that Council provided directly or through supporting organisations, and that Council should be cognisant that the organisations needed to remain viable.

Resolved CL/2023/067

That the Council

- 1. Receives the report Nelson Centre of Musical Arts' Draft Statement of Intent 2023/2025 (R27405) and its attachment (1511110536-654); and***
- 2. Notes the delivery of the Nelson Centre of Musical Arts Draft Statement of Intent 2023/2025 (1511110536-654); and***
- 3. Notes the Nelson Centre of Musical Arts Draft Statement of Intent 2023/2025 meets Council's expectations, as set out in the Letter of Expectations dated 22 Sept 2022; and***
- 4. Notes that Nelson City Council's grant funding to Nelson Centre of Musical Arts will be confirmed through the Annual Plan 2023/24***

O'Neill-Stevens/Rainey

Carried

10. Nelson Tasman Business Trust Annual Report 2022

Document number R27439, agenda pages 223 - 234 refer.

Robert Panzer, Chairperson, and Gael Gordon, Trust Manager of Nelson Tasman Business Trust spoke to the annual report presentation (tabled 1982984479-5798), noting the Trust had rebranded with a change of name to Business Assist.

Attendance: Councillor Anderson joined the meeting at 10.49a.m.

Ailish Neyland, Policy Adviser took the report as read.

Resolved CL/2023/068

That the Council

- 1. Receives the report Nelson Tasman Business Trust Annual Report 2022 (R27439) and its attachments (839498445-14186) and 839498445-14191).**

Brand/Hodgson

Carried

Attachments

- 1 1982984479-5798 Tabled Document PowerPoint Nelson Tasman Business Trust.pdf

The meeting adjourned from 10.54a.m. until 11.03a.m.

11. Recommendations from Committees

12.1 Nelson Regional Sewerage Business Unit - 10 March 2023

12.1.1 Nelson Regional Sewerage Business Unit - 2023/24 Business Plan

Recommendation to Council CL/2023/069

That the Council

- 1. Receive the Nelson Regional Sewerage Business Unit Business Plan 2023/24 (1080325921-246).**

Skinner/Courtney

Carried

1.1 Nelson Tasman Landfill Business Unit – 17 March 2023

1.1.1 Nelson Tasman Regional Landfill Business Unit General Manager Update Report March 2023.

Resolved CL/2023/070

That the Council

- 1. Approves, subject to the approval of the alternate Council, the sale of 50,000 NZ ETS units and delegates the timing of the sale to the General Manager of the Nelson Tasman Regional Landfill Business unit.**

Courtney/Paki Paki

Carried

1.1.2 Nelson Tasman Regional Landfill Business Unit - 2023/24 Business Plan.

Resolved CL/2023/071

That the Council

1. Receives the Nelson Tasman Regional Landfill Business Unit Business Plan 2023/24 (1399367370-7915).

Paki Paki/Courtney

Carried

12. Mayor's Report

Document number R27620, agenda pages 271 - 276 refer.

Deputy Mayor O'Neill-Stevens took the report as read and tabled an updated letter to Local Government New Zealand (LGNZ), noting the proposed letter would be sent to Mayor Grant Smith who was chair of the Metropolitan Sector.

Deputy Mayor O'Neill-Stevens answered questions on transferring to the LGNZ metropolitan sector.

The meeting adjourned from 11.32a.m. until 11.35a.m.

The item was adjourned to be considered later in the meeting.

Attachments

- 1 1982984479-5805 Tabled Document Sector Change Letter Tracked Changes

13. Proposal for new Traffic and Parking Bylaw

Document number R26194, agenda pages 277 - 336 refer.

Team Leader Transport Activity Management, Drew Bryant and Asset Engineer Transport, Kayleen Goldthorpe took the report as read, noting the existing bylaw would expire in November 2023.

Mr Bryant answered questions on the consultation process, advising the special consultative procedure process was being used (outlined in the consultation plan) and Council channels included use of social media, Council's website, Our Nelson, he noted that officers were open to other methods of consultation.

Attendance: His Worship the Mayor Hon Dr Smith joined the meeting at 12.00m.d.

Councillor Brand proposed an amendment to the officer's recommendation clause 6, to include potentially additional forms of consultation.

Resolved CL/2023/072

That the Council

1. ***Receives the report Proposal for new Traffic and Parking Bylaw (R26194) and its attachments (1862260321-22085 and 1862260321-24203); and***
2. ***Notes that a bylaw is the most appropriate way to regulate, and manage traffic and parking control, and the draft Traffic and Parking Bylaw included in Attachment 2 (1862260321-24203) is the most appropriate form of bylaw and does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and***
3. ***Agrees to use the special consultative procedure because there is, or is likely to be, a significant impact on the public due to the proposed bylaw; and***
4. ***Adopts the Statement of Proposal and the proposed Traffic and Parking Bylaw (1862260321-24203) for consultation; and***
5. ***Agrees that a summary of the Statement of Proposal is not required; and***
6. ***Approves the amended consultation and engagement approach described in Attachment 1 (1862260321-22085 of Report R26194) to potentially include additional forms of consultation; and***
7. ***Agrees that this approach***
 - (a) ***includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - (b) ***will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation; and***
8. ***Commences a public consultation, using a Special Consultative Procedure (1862260321-24203 of Report 26194) as per sections 83, 86 and 156 of the Local Government Act 2002, on the proposal to make the draft Traffic and Parking Bylaw; and***

9. ***Agrees that the His Worship the Mayor and Chief Executive may approve minor amendments to supporting information or the statement of Proposal prior to the start of the consultation process.***

Sanson/Rainey

Carried

14. Nelson Regional Development Agency - six-month report and draft updated Statement of Intent 2021-24

Document number R27572, agenda pages 138 - 222 refer.

His Worship the Mayor Hon Dr Smith assumed the chair.

Chairperson Meg Matthews, Chief Executive Fiona Wilson and Toni Power of Nelson Regional Development Agency (NRDA) were in attendance.

Ms Wilson spoke to a presentation on NRDA's six month report and statement of intent (tabled 1982984479-5805) and answered questions on current funding and the output generated from funding compared to other agencies.

Policy Adviser, Ailish Neyland, took the report as read.

Councillor Rainey declared an interest and abstained from voting.

Resolved CL/2023/073

That the Council

1. ***Receives the report Nelson Regional Development Agency - six-month report and draft updated Statement of Intent 2021-24 (R27572) and its attachments (839498445-14201), (839498445-14218) and (839498445-14168); and***
2. ***Notes the delivery of the Nelson Regional Development Agency's updated Statement of Intent 2023-24 (839498445-14201) as required under the Local Government Act 2002; and***
3. ***Notes that the Nelson Regional Development Agency's updated Statement of Intent meets Council's expectations, as set out in its Letter of Expectation to the Agency dated 8 April 2021; and***
4. ***Receives the Nelson Regional Development Agency's six-month report July - December 2022 (839498445-168).***

His Worship the Mayor/Hodgson

Carried

Attachments

- 1 1982984479-5805 Council 13Apr2023 Tabled Document PowerPoint NRDA.pdf

15. Exclusion of the Public

Chairperson Meg Matthews, Chief Executive Fiona Wilson and Toni Power of Nelson Regional Development Agency were in attendance for Item 5 of the Confidential agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved CL/2023/074

That the Council

1. ***Confirms in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Fiona Wilson, Meg Matthews and Toni Power from Nelson Regional Development Agency remain after the public has been excluded, for Item 5 of the Confidential agenda (Future Options for Nelson Visitor Information Services), as they have knowledge relating to information services that will assist the meeting.***

Brand/Hodgson

Carried

Resolved CL/2023/075

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:***

Brand/Hodgson

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 - Confidential Minutes - 9 March 2023	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
	Extraordinary Council Meeting - Confidential Minutes - 3 April 2023	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)
2	Section 17A Review of Campgrounds	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)(f)(ii) To maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			from improper pressure or harassment

3	Campgrounds management model proposal - Brook Valley Holiday Park and Maitai Valley Motor Camp	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)(f)(ii) To maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment • Section 7(2)(g) To maintain legal professional privilege
4	Strawbridge Square Development	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)

<p>5</p>	<p>Future Options for Nelson Visitor Information Services</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"> • 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, negotiations (including commercial and industrial negotiations)
<p>6</p>	<p>Debt Remission for Nelson Centre of Musical Arts</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"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
<p>7</p>	<p>Event funding - New Zealand Mountain Bike Rally</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"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
<p>8</p>	<p>Establishment of a Taskforce for He Tātai Whetū</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"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

9	External Appointment to Chief Executive Employment Committee	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
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The meeting went into confidential session at 12.51p.m. and resumed in public session at 5.04p.m.

16. Mayor's Report - reconvened

Document number R27620, agenda pages 271 - 276 refer.

His Worship the Mayor Hon Dr Smith proposed that the item be left to lie to enable further information to be provided.

Item of business to lie on the table

Resolved CL/2023/076

That the Council

- 1. Leaves the item Mayor's Report to lie on the table and not be further discussed at this meeting.***

His Worship the Mayor/O'Neill-Stevens

Carried

Karakia Whakamutanga

17. Restatements

It was resolved while the public was excluded:

1 Section 17A Review of Campgrounds

4. *Agrees that Report (R27571) and Attachment (196698121-46054) remain confidential at this time.*
5. *Agrees that the decision only be made publicly available following leases being confirmed.*

2 Campgrounds management model proposal - Brook Valley Holiday Park and Maitai Valley Motor Camp

5. *Agrees that Report (R27490) and Attachments (196698121-46006, 196698121-46010 and 196698121-46178) remain confidential at this time.*
6. *Agrees that the decision only be made publicly available following either public advertisement of tender to lease or leases being confirmed.*

3 Strawbridge Square Development

4. *Agrees that Report (R27557), attachments (714127617-17490, 714127617-16928, 714127617-17424 and 714127617-18026) and the decision remain confidential until a property transaction has been completed.*

4 Future Options for Nelson Visitor Information Services

6. *Agrees that report (R27575), the attachment (839498445-14202) and the decision remain confidential at this time.*

6 Event funding - New Zealand Mountain Bike Rally

3. *Agrees that Report (R27514) and attachment (839498445-14012) and the decision be excluded from public release until the contract negotiations are concluded.*

8 External Appointment to Chief Executive Employment Committee

1. *Receives the report External Appointment to Chief Executive Employment Committee (R27588) and its attachments (1809402794-717, 1809402794-716); and*
2. *Receives Paul Bell's resignation as external adviser to the Chief Executive Employment Committee; and*
3. *Appoints Melisa Kappely of Intepeople as external adviser to the Chief Executive Employment Committee: and*
4. *Confirms the payment and services schedules as set out in Attachment 1 (1809402794-717); and*
5. *Agrees that Report (R27588) and the decision only be made publicly available following Ms Kappely's acceptance of the position; and*
6. *Agrees that Attachment 1 (1809402794-717) remain confidential at this time.*

There being no further business the meeting ended at 5.10p.m.

Confirmed as a correct record of proceedings by resolution on 04 May 2023.

That the Council

1. *Confirms the minutes of the meeting of the Council, held on 13 April 2023, as a true and correct record.*