
**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 6 July 2023, commencing at 9.02a.m.

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

In Attendance: Chief Executive (N Philpott), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (M Bishop), 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 Senior Governance Adviser (H Wagener).

Apology: Councillors T Skinner and M Benge.

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2023/156

That the Council

- 1. Receives and accepts an apology from Councillors T Skinner and M Benge.***

Courtney/Brand Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

There were no updates to the Interests Register.

Councillors Hodgson and Anderson declared non-pecuniary interests as trustees of recipient organisations for Item 7. Community Investment Funding Update - Small Grants Round June 2023.

Councillor R Sanson declared a non-pecuniary interest for Confidential Item 6. Nelson Events Fund application - International Cricket Series.

4. Public Forum

4.1. Graeme O'Brien - Kainga Ora Housing Projects

Document number R27771

Graeme O'Brien spoke to a tabled presentation (1982984479-6222) and answered questions regarding his concerns about the location, size, height and social impact of the proposed Kāinga Ora housing projects.

4.2. Clean Water Coalition - Fluoridation

Document number R27774

The Clean Water Coalition spokespersons Dharan Longley and Zoe Byrne spoke to a tabled presentation (1982984479-6223) and answered questions about their concerns regarding the mandatory fluoridation of the public water supply within Nelson.

Attachments

- 1 1982984479-6222 Council 06Jul2023 Tabled Document Public Forum Graeme O'Brien
- 2 1982984479-6223 Council 06July2023 Tabled Document Public Forum PowerPoint Clean Water Coalition

5. Confirmation of Minutes

5.1 8 June 2023

Document number M20184, agenda pages 9 - 26 refer.

Resolved CL/2023/157

That the Council

1. ***Confirms the minutes of the meeting of the Council, held on 8 June 2023, as a true and correct record.***

O'Neill-Stevens/Courtney

Carried

5.2 22 June 2023

Document number M20196, agenda pages 27 - 38 refer.

Resolved CL/2023/158

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 22 June 2023, as a true and correct record.***

O'Neill-Stevens/Courtney

Carried

6. Mayor's Report

Document number R27770, agenda pages 39 - 84 refer.

His Worship the Mayor Hon Dr Nick Smith presented his report and proposed taking the discussion in parts.

Deputy Mayor Rohan O'Neill-Stevens spoke to the report on the Review of Nelson Festivals Trust reserves and answered questions. The Chief Executive, Nigel Philpott advised that a further report on the financial implications and implementation of the recommendations of the report, as recommended, would not be required and advised the required funding would be unbudgeted. Group Manager Corporate Services, Nikki Harrison answered questions on the process of sourcing funding for unbudgeted expenditure. The recommendation was amended to include the recommendations from the report on the review of the Nelson Festivals Trust.

His Worship the Mayor spoke to the proposed Remits to the Local Government New Zealand Annual General Meeting 2023. After discussion, it was agreed to support all the remits except Remit 9: Earthquake-prone buildings, which would be decided on at the Annual General Meeting by the attending Councillors.

His Worship the Mayor Hon Dr Nick Smith moved the recommendations, seconded by Councillor M Courtney, and it was taken in parts.

Resolved CL/2023/14059

That the Council

- 1. Receives the report Mayor's Report (R27770) and its attachments (1118544611-7172, 1118544611-7173, 1118544611-7174, 1118544611-7175, 1118544611-7164); and***
- 2. Supports, as a necessary step to achieve a successful response to its continued procurement of a development partner via open tender for the City Centre Housing Development (on 69-101 Achilles Ave and 42 Rutherford St), Kāinga Ora's intention to include the***

possibility of the development having a portion of market housing; and

- 3. Notes that in line with Council's decision to increase funding for Kotahitanga mō te Taiao Alliance from \$20,000 to \$40,000, Tasman District and Marlborough District Councils have each agreed to match this increase; and***
- 4. Notes the attached submission by His Worship the Mayor on the Water Services Entities Amendment Bill (1118544611-7174); and***
- 5. Approves the recommendations from the report on the review of the Nelson Festivals Trust reserves (1118544611-7175):***
 - a) Reinstates the \$175,000 of Arts Festival funding removed during the Annual Plan process; and***
 - b) Approves a 3.5% increase to Arts Festival funding, consistent with Council's approach to arts organisation funding through the Annual Plan; and***
 - c) Endorses a shift from a contractual arrangement to grant funding for the Nelson Festivals Trust; and***
 - d) Approves the reinstated funding and inflation adjustment as unbudgeted expenditure.***
- 6. Considers the proposed Remits to the Local Government New Zealand AGM 2023, as discussed:***
 - a. Remit 1: Allocation of risk and liability in the building sector – support;***
 - b. Remit 2: Rates rebate - support;***
 - c. Remit 3: Roading/transport maintenance funding - support;***
 - d. Remit 4: Local election accessibility - support;***
 - e. Remit 5: Ability for co-chairs at formal meetings – support;***
 - f. Remit 6: Parking infringement penalties - support;***
 - g. Remit 7: Rural and regional public transport - support;***
 - h. Remit 8: Establishing resolution service - support;***

- i. Remit 9: Earthquake-prone buildings –confirm at the AGM;***
- j. Remit 10: KiwiSaver contributions for Elected Members - support;***
- k. Remit 11: Audit NZ fees - support.***

His Worship the Mayor/Courtney

Carried

The meeting adjourned from 11.08a.m until 11.15a.m. at which time Councillor Rainey left the meeting.

7. Community Investment Funding Update - Small Grants Round June 2023

Document number R27749, agenda pages 85 - 97 refer.

Group Manager Community Services, Andrew White and Strategic Manager Community Partnerships, Mark Preston-Thomas took the report as read and answered a question on the frequency of funding update reports to the Council.

Resolved CL/2023/14160

That the Council

- 1. Receives the report Community Investment Funding Update - Small Grants Round June 2023 (R27749) and its attachments (636034393-11456 and 636034393-11464); and***
- 2. Receives the minutes from the Community Investment Fund meeting held on 7 June (unconfirmed) and notes the funding decisions taken.***

Courtney/Brand

Carried

8. Elma Turner Library Seismic Strengthening Project - Additional Budget

Document number R27738, agenda pages 98 - 107 refer.

Group Manager Corporate Services, Nikki Harrison and Manager Property Services, Rebecca Van Orden took the report as read and answered questions on the timing of the opening of the full library building to the public, and the expected lifespan of the building.

Resolved CL/2023/14261

That the Council

- 1. Receives the report Elma Turner Library Seismic Strengthening Project - Additional Budget (R27738) and its attachment (196698121-47508); and***
- 2. Approves the addition of \$940,000 unbudgeted capital expenditure in the 2023/24 financial year to allow for the full reopening of the Elma Turner Library.***

His Worship the Mayor/Paki Paki

Carried

9. Long Term Plan 2024-2034 - Draft Significant Forecasting Assumptions

Document number R27697, agenda pages 108 - 122 refer.

Group Manager Strategy and Communications, Nicky McDonald and Policy Adviser, Ailish Neyland took the report as read and answered questions regarding the purpose and use of the Draft Significant Forecasting Assumptions in the development of the Long Term Plan, omission of lower level risks, mitigation and availability of the latest census data.

Following discussion on the proposed Mitigation 2024-2034 of the Greenhouse Gas Emissions section (p.113 of the Agenda) in the Draft Significant Forecasting Assumptions, the meeting agreed to amend the wording as follows:

*Engagement will be undertaken with the community to set targets that are both attainable and **ambitious**, supported by the community at large and consistent with scientific evidence regarding the reductions needed to limit global warming to 1.5 degrees.*

Following discussion of the Economic Forecast section (p.116 of the Agenda) in the Draft Significant Forecasting Assumptions, the meeting agreed to amend the wording as follows:

*A focus on affordability, **value for money** and continued Council investment in **sustainable** projects which will help reinvigorate the economy and improve economic wellbeing.*

It was agreed to move the "Relationship with iwi" section in the Draft Significant Forecasting Assumptions to second in the list of assumptions, directly after "Demographics".

Resolved CL/2023/14362

That the Council

1. ***Receives the report Long Term Plan 2024-2034 - Draft Significant Forecasting Assumptions (R27697) and its attachment (1852948764-211); and***
2. ***Approves the amended Draft Significant Forecasting Assumptions that will be used to inform development of the Long Term Plan 2024-2034 (1852948764-211).***

Sanson/Courtney

Carried

10. August 2022 Extreme Weather Event Recovery - Quarterly Update

Document number R27503, agenda pages 123 - 133 refer.

Group Manager Infrastructure, Alec Louverdis took the report as read and answered questions relating to unbudgeted expenditure for the May 2023 weather event and expected duration of the recovery process.

Resolved CL/2023/14463

That the Council

1. ***Receives the report August 2022 Extreme Weather Event Recovery - Quarterly Update (R27503) and its attachment 1590798627-594; and***
2. ***Approves retrospectively unbudgeted estimated expenditure between 31 December 2022 and 30 June 2023 as part of the August 2022 extreme weather event recovery of \$8.2M; and***
3. ***Approves retrospectively unbudgeted estimated expenditure between May 2023 and 30 June 2023 as part of the May 2023 weather event response of \$1.42M.***

His Worship the Mayor/Brand

Carried

11. Appointment of Commissioners - Nelson Airport Limited

Document number R27769, agenda pages 134 - 137 refer.

Group Manager Environmental Management, Mandy Bishop took the report as read and answered questions on the differing roles of Council as consenting authority, Nelson Airport Limited as requiring authority and the Commissioners in a resource consent application and in a notice of requirement process. Ms. Bishop provided advice on potential conflicts of interest in the consent process as Council was a shareholder in the airport.

Resolved CL/2023/14564

That the Council

1. ***Receives the report Appointment of Commissioners - Nelson Airport Limited (R27769); and***
2. ***Approves the appointment of three independent Commissioners to hear and recommend on submissions received in relation to Private Plan Change 30 and the accompanying Notice of Requirement; and***
3. ***Notes that Group Manager Environmental Management has delegated authority to select the credentialed Commissioners.***

His Worship the Mayor/Rollo

Carried

12. Exclusion of the Public

Resolved CL/2023/14665

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:***

O'Neill-Stevens/Courtney

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 - 8 June 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 • Section 7(2)(b)(ii)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<p>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</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) • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
2	Mayor's Report - LGNZ office appointments	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>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
3	Appointment of Independent Member - Audit, Risk and Finance 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	<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
4	Appointment of Directors to the Nelson Marina	Section 48(1)(a) The public conduct of this matter would be likely to	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Council Controlled Organisation Board	result in disclosure of information for which good reason exists under section 7	To protect the privacy of natural persons, including that of a deceased person
5	Nelson Centre of Musical Arts Two-Year Debt Repayment Suspension	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
6	Nelson Events Fund application - International Cricket Series	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)

The meeting went into confidential session at 12:53p.m. at which time Councillor P Rainey joined the meeting. The meeting resumed in public session at 4:18p.m.

Karakia Whakamutanga

13. Restatements

It was resolved while the public was excluded:

1 Mayor's Report - LGNZ office appointments

3. Agrees that Report (R27780), Attachment (1118544611-7171) and the decision remain confidential at this time.

2 Appointment of Independent Member - Audit, Risk and Finance Committee

4. Agrees that only the decision be made publicly available following confirmation of the appointment being accepted; and
5. Agrees that Report (R27742) and its attachments remain confidential at this time.

3 Appointment of Directors to the Nelson Marina Council Controlled Organisation Board

4. Agrees that the Decision, Report (R27753), and its attachment (1511110536-720) remain confidential at this time; and
5. Agrees that the appointments be made public once they have been finalised.

4 Nelson Centre of Musical Arts Two-Year Debt Repayment Suspension

That the Council

1. Receives the report Nelson Centre of Musical Arts Two-Year Debt Repayment Suspension (R27747); and
2. Agrees to support the Nelson Centre of Musical Arts by providing a two-year suspension from repaying the debt to Council on its loan, beginning 1 April 2023 and resuming 30 March 2025; and
3. Agrees that the decision only be made publicly available; and
4. Agrees that Report (R27747) remain confidential at this time.

5 Nelson Events Fund application - International Cricket Series

4. Agrees that Report (R27778) and Decision be released from public release after negotiations are concluded; and
5. Agrees that Attachment (839498445-16677) remains confidential at this time.

There being no further business the meeting ended at 4:18p.m.

Confirmed as a correct record of proceedings by resolution on 10 August 2023.

That the Council

1. Confirms the minutes of the meeting of the Council, held on 6 July 2023, as a true and correct record.