



Nelson City Council
Te Kaunihera o **Whakatū**

Notice of the Ordinary meeting of

Nelson City Council

Te Kaunihera o Whakatū

Date:	Thursday 19 October 2023
Time:	9.00a.m.
Location:	Council Chamber Floor 2A, Civic House 110 Trafalgar Street, Nelson

Agenda

Rārangi take

Chairperson

His Worship the Mayor Nick Smith

Deputy Mayor

Councillor Rohan O'Neill-Stevens

Members

Cr Matty Anderson

Cr Matthew Bengé

Cr Trudie Brand

Cr Mel Courtney

Cr James Hodgson

Cr Kahu Paki Paki

Cr Pete Rainey

Cr Campbell Rollo

Cr Rachel Sanson

Cr Tim Skinner

Cr Aaron Stallard

Quorum 7

Nigel Philpott
Chief Executive

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision. For enquiries call (03) 5460436.

Karakia and Mihi Timatanga

1. Apologies

Nil

2. Confirmation of Order of Business

3. Interests

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum

4.1 Nelson Attendance Services - Tāpitomata - The Issue of Absenteeism within Nelson Education Facilities.

Mike Foster, Attendance Service Manager from Nelson Attendance Services – Tāpitomata will speak about the issue of absenteeism in Nelson Education Facilities.

4.2 Nelson Tasman Climate Forum - Greenhouse Gas Emissions Reduction

Joanna Santa Barbara and Lindsay Wood from the Nelson Tasman Climate Forum will speak about greenhouse gas emissions reduction.

4.3 Harry Pearson - Public Perception and Expectations of Council and Councillors

Harry Pearson will speak about public perception and expectations of Council and Councillors.

5. Confirmation of Minutes

5.1 14 September 2023

13 - 28

Document number M20289

Recommendation

That the Council

1. ***Confirms the minutes of the meeting of the Council, held on 14 September 2023, as a true and correct record.***

6. Recommendations from Committees

6.1 Audit, Risk and Finance Committee - 15 September 2023

6.1.1 Carry Forwards 2022/23

That the Council

1. ***Approves the carry forward of \$8.2 million–\$8.1 million to 2023/24 and \$143,000 to 2024/25; and***
2. ***Notes that this is in addition to the carry forward of \$21.9 million approved during the Annual Plan 2023/24 process, taking the total carry forward to \$30.1 million of which \$27 million is for the 2023/24 year and \$3.1 million is for the 2024/25 year; and***
3. ***Notes the total savings and reallocations in 2022/23 capital expenditure of \$2.6 million; and***
4. ***Notes that the total 2023/24 capital budget (including staff costs and work on attending to the slips originating on Council land and excluding consolidations, vested assets, scope adjustment and other August 2022 flood recovery budgets) will be adjusted by these resolutions from a total of \$85.7 million to a total of \$93.7 million; and***
5. ***Approves the carry forward of \$447,000 unspent operating budget to 2023/24.***

6.1.2 Review of Health and Safety Governance Charter

That the Council

1. ***Approves the revised Health and Safety Governance Charter (855153265-4133).***

7. Mayor's Report

29 - 32

Document number R28055

Recommendation

That the Council

1. **Receives the report Mayor's Report (R28055); and**
2. **Acknowledges with a minute's silence the death of former Nelson City Councillor Bob Straight; and**
3. **Acknowledges 10 years of service by Councillor Tim Skinner; and**
4. **Acknowledges 25 years of service by Group Manager Infrastructure and Deputy Chief Executive Alec Louverdis; and**
5. **Delegates to Councillors Aaron Stallard, Matthew Bengé, Mel Courtney, Rachel Sanson and His Worship Mayor Hon Dr Smith approval of Council's submission to Parliament's Environment select committee on the Inquiry into Climate Adaptation, which is considering options for community-led retreat and adaptation funding.**

8. City Centre Playspace 33 - 50

Document number R27935

Recommendation

That the Council

1. **Receives the report City Centre Playspace (R27935) and its attachment (336940202-7652); and**
2. **Approves the location of the city centre playspace as being in Rutherford Park; and**
3. **Notes that following site selection, the City Centre Playspace Taskforce will consider engagement options to seek the views of iwi and the community on the potential design and equipment features of the playspace.**

9. Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25 51 - 57

Document number R28012

Recommendation

That the Council

1. **Receives the report Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25 (R28012); and**

2. ***Approves the Stoke Library Building Improvements budget of \$581,229 allowed for in the 2021-31 Long Term Plan in 2024/25 to be brought forward to the current year 2023/24 to enable the following necessary upgrade work to be completed:***
 - a. ***Roof leak remediation***
 - b. ***Skylight alteration***
 - c. ***Roof cladding renewal to main roof.***

10. New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

58 - 65

Document number R27952

Recommendation

That the Council

1. ***Receives the report New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy (R27952); and***
2. ***Notes Asahi Beverages NZ as a major sponsor of the three games of international cricket at Saxton Field on:***
 - ***20 December 2023***
 - ***22 March 2024***
 - ***24 March 2024; and***
3. ***Approves, subject to the approval of Tasman District Council, an exemption to clause 4.8.2.3 of the Saxton Field Reserve Management Plan to allow alcohol advertising at the three international cricket events at Saxton Field; and***
4. ***Notes under section 80 of the Local Government Act 2022, that the decision to allow alcohol advertising at the international cricket events at Saxton Field:***
 - a. ***is inconsistent with the alcohol policy in the Saxton Field Reserve Management Plan, which states that the advertising of alcohol shall not be permitted on Saxton Field, apart from price and product schedules at point of sale; and***

b. that the reason for this inconsistency is that the Councils need to allow a key sponsor to advertise alcohol at the venue during the events; and

c. that Council does not intend to amend the Saxton Field Reserve Management Plan at this time to accommodate the decisions.

11. Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

66 - 89

Document number R27938

Recommendation

That the Council

- 1. Receives the report Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation (R27938) and its attachments (1852948764-263, 1852948764-264, 1852948764-265,); and***
- 2. Approves the Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263) for public consultation in accordance with sections 102, 108, 82 and 82A of the Local Government Act 2002: and***
- 3. Approves the Draft Rates Remission Policy (1852948764-265) for public consultation in accordance with sections 102, 109, 82 and 82A of the Local Government Act 2002: and***
- 4. Approves the Draft Rates Postponement Policy (1852948764-264) for public consultation in accordance with sections 102, 110, 82 and 82A of the Local Government Act 2002: and***
- 5. Agrees that the consultation on the following draft policies will occur at the same time as the Long Term Plan 2024-2034 consultation process:***
 - i. Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263); and***
 - ii. Draft Rates Remission Policy (1852948764-265); and***

iii. Draft Rates Postponement Policy (1852948764-264); and

6. Agrees that His Worship Mayor Hon Dr Smith and the Chief Executive be delegated authority to approve any minor amendments required to the following draft policies prior to them being made available for public consultation:

i. Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263); and

ii. Draft Rates Remission Policy (1852948764-265); and

iii. Draft Rates Postponement Policy (1852948764-264).

12. Approval to prepare a Reserves General Policies Management Plan

90 - 100

Document number R28027

Recommendation

That the Council

1. Receives the report Approval to prepare a Reserves General Policies Management Plan (R28027) and its attachment (839498445-16867); and

2. Agrees to the preparation of an overarching Reserves General Policies Management Plan for all classified reserves and to provide policy guidance for unclassified reserves and other Council land managed as parks and reserves; and

3. Notes that separate Reserve Management Plans will subsequently be prepared for individual reserves, or groups of reserves, covering matters particular to them; and

4. Notes the process to prepare a Reserves General Policies Management Plan as outlined in Attachment 1 (839498445-16867); and

5. Agrees, under section 41(5A) of the Reserves Act 1977, to not seek written suggestions on the intention to prepare the Draft Reserves General Policies Management Plan, as Council considers feedback at this

stage will not materially assist with the preparation of the document, for the following reasons:

- **Early targeted engagement is currently occurring with Te Taihū iwi and key stakeholders and will continue during the preparation of the Draft Reserves General Policies; and**
 - **Council has existing reserve management plans which have been through public consultation processes which can be drawn on to inform the development of the Draft Reserves General Policies document; and**
 - **Council already has some understanding of the public's views on matters to be addressed in the Draft Reserves General Policies from various public engagement processes and surveys; and**
6. **Establishes a Hearing Panel, to hear and deliberate on submissions on the Draft Reserves General Policies, comprising:**

EITHER

- **Full Council;**

OR

- **Councillor XXX, XXX and XXX.**

**13. Draft Flood Protection Activity Management Plan
2024 - 2034**

101 - 105

Document number R27924

Recommendation

That the Council

1. **Receives the report Draft Flood Protection Activity Management Plan 2024 - 2034 (R27924) and its attachment (205082210-168); and**
2. **Approves the Draft 2024-34 Flood Protection Activity Management Plan (205082210-168) as the version to inform the development of the Long Term Plan 2024-2034; and**
3. **Notes that the Draft 2024-34 Flood Protection Activity Management Plan (205082210-168) will be updated, and the final Activity Management Plan approved by**

Council after the adoption of the Long Term Plan 2024-2034.

14. Draft Solid Waste Activity Management Plan 2024-2034 106 - 110

Document number R27883

Recommendation

That the Council

- 1. Receives the report Draft Solid Waste Activity Management Plan 2024-2034 (R27883) and its attachment (1399367370-8729); and**
- 2. Approves the Draft Solid Waste Activity Management Plan 2024-2034 (1399367370-8729) as the version to inform the development of the Long Term Plan 2024-34; and**
- 3. Notes that the Draft Solid Waste Activity Management Plan 2024-2034 (1399367370-8729) will be updated and the final Activity Management Plan approved by Council after the adoption of the Long Term Plan 2024-34.**

15. Draft Environmental Management Activity Management Plan 2024 - 2034 111 - 115

Document number R27866

Recommendation

That the Council

- 1. Receives the report Draft Environmental Management Activity Management Plan 2024 - 2034 (R27866) and its attachment (887727126-1808); and**
- 2. Approves the Draft Environmental Management Activity Management Plan 2024 - 2034 (887727126-1808) as the version to inform the development of the Long Term Plan 2024 - 2034; and**
- 3. Notes that the Draft Environmental Management Activity Management Plan 2024 - 2034 (887727126-1808) will be updated and the final the Environmental Management Activity Management Plan 2024 - 2034 approved by Council after the adoption of the Long Term Plan 2024 - 2034.**

16. Schedule of Meetings 2024

116 - 131

Document number R27986

Recommendation

That the Council

- 1. Receives the report *Schedule of Meetings 2024 (R27986) and its attachment (1982984479-6639); and***
- 2. Adopts the schedule of meetings for the 2024 calendar year as set out in Attachment 1 (1982984479-6639).**

CONFIDENTIAL BUSINESS

17. Exclusion of the Public

Recommendation

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 name and name remain after the public has been excluded, for Item# of the Confidential agenda (item title), as he/she/they has/have knowledge relating to (description) that will assist the meeting.**

Recommendation

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:**

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 - 14 September 2023	Section 48(1)(a) The public conduct of this matter would be likely to result in	The withholding of the information is necessary: <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)
		disclosure of information for which good reason exists under section 7.	<p>To protect the privacy of natural persons, including that of a deceased person</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)
Recommendation from Committee			
2	<p>Audit, Risk and Finance Committee - 15 September 2023</p> <p>Bad Debts Write-Off - Year ending 30 June 2023</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"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
3	<p>August 2022 Extreme Weather Event Recovery - General Update and Central Government Recovery Support Package</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"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	<p>Preferred approach for enabling long-term recreational access on Ngāti Koata whenua</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"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
5	Audit, Risk and Finance Committee - 15 September 2023 Bad Debts Write-Off - Year ending 30 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

Karakia Whakamutanga



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 14 September 2023, commencing at 9.02a.m.

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

In Attendance: Chief Executive (N Philpott), Deputy Chief Executive/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: An apology was received from Councillor P Rainey for early departure at 10.30a.m.

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2023/172

That the Council

- 1. Receives and accepts an apology from Councillor P Rainey for early departure from 10.30a.m.***

His Worship the Mayor/Skinner

Carried

Item 5: Confirmation of Minutes

2. Confirmation of Order of Business

There was no change to the order of business, but the public was excluded during Item 7 Mayor's Report for the provision of legal advice.

3. Interests

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

4. Public Forum

4.1. Nelson Tasman Pasifika Community Trust - Pasifika Communities in Whakatu

Document number R27897

Robert Blake, General Manager from the Nelson Tasman Pasifika Community Trust, spoke to a tabled presentation (1982984479-6581) about Pasifika Communities in Whakatu and answered questions about funding and the need for a community hub.

4.2. Make/Shift Spaces Inc - The Shared Communities Initiative

Document number R27898

Anne Rush from Make/Shift Spaces Inc, spoke to a tabled presentation (1982984479-6572), tabled a report entitled [Shared Communities Whakatu Nelson](#) and answered questions about funding.

4.3. Giving Aroha - Rough Sleepers and Most Vulnerable in our Community

Document number R27903

Jackie Galland from Giving Aroha spoke about the hardships endured by rough sleepers and most vulnerable in the community and answered questions about the challenges Giving Aroha faced in providing support and services.

Attachments

- 1 982984479-6581 Nelson Tasman Pasifika Community Trust Presentation
- 2 1982984479-6572 Make-Shift Spaces Inc Presentation

5. Confirmation of Minutes

5.1 10 August 2023

Document number M20242, agenda pages 11 - 27 refer.

Resolved CL/2023/173

Item 5: Confirmation of Minutes

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 10 August 2023, as a true and correct record.***

Courtney/Brand

Carried

5.2 17 August 2023

Document number M20258, agenda pages 28 - 33 refer.

Resolved CL/2023/174

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 17 August 2023, as a true and correct record.***

Rollo/Hodgson

Carried

6. Recommendations from Joint Committees

Document number R27922, agenda pages 34 - 34 refer.

6.1 Recommendation from Saxton Field Committee Meeting on 8 August 2023.

Resolved CL/2023/175

That the Council

- 1. Adopt, subject to the approval of the Tasman District Council the proposed capital works programme for Saxton Field contained in Attachment 1 to Report R27843 (196698121-50136) for incorporation into each Council's draft budgets as part of the Long Term Plan 2024-2034 processes, with the following amendments:***
 - a. a capital budget line be included to provide for a regional skate facility at Saxton Field with \$20,000 included in 2024/25, and \$400,000 in each of years 2026/27 and 2027/28, together with an income line budgeting \$320,000 income in each of years 2026/27 and 2027/28.***
- 2. Delegate responsibility for agreeing to any amendments to the budget values resulting from further cost analysis to the Councils' Group Managers***

(Group Manager Community Services at Nelson City Council and Group Manager Community Infrastructure at Tasman District Council).

Skinner/Rollo

Carried

7. Mayor's Report

Document number R27917, agenda pages 35 - 49 refer.

A one-minute silence was held in remembrance of the passing of Seddon Marshall, who served on Nelson City Council for 33 years.

His Worship the Mayor Hon Dr Nick Smith presented his report and proposed taking the discussion in parts. He moved Recommendation 3,4 and 5 from his report, seconded by Councillor Brand.

That the Council

1. *Agrees in principle to a cost-sharing package with the Government to support the recovery work from the extreme weather event of August 2022, subject to an officer's report detailing the implications and future cost to Council; and*
2. *Notes there will be additional costs to Council for up to 14 buyouts of properties where the cost to repair exceeds their value; and*
3. *Instructs Council officers to prepare a report for the 19 October Council meeting on the next steps required to finalise the funding agreement with the Government.*

Mayor Hon Dr Smith spoke to the recommendations and answered questions on the cost-sharing package with the Government, possible identification of more affected properties with increased future cost commitments beyond the scope of the cost-sharing package and risks of setting precedents. He felt that it was a practical approach to avoid derelict, abandoned properties and Council might still reject the package as the acceptance would be in-principle, subject to further investigation, a workshop and report from officers.

Attendance: Councillor Rollo left the meeting from 10.33 a.m. until 10.40.a.m.

Attendance: Councillor Rainey left the meeting at 10.37a.m.

Discussion on this section of the Mayor's Report was adjourned in order to accommodate availability of a legal advisor. The meeting moved into confidential session to consider legal advice on the update to Plan Change 29.

Kerry Anderson of DLA Piper Inc. was in attendance to provide legal advice on the Plan Change 29 update of Item 7 Mayor' Report on the

Item 5: Confirmation of Minutes

Agenda and, accordingly, the following resolution was required to be passed:

Resolved CL/2023/176

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 Kerry Anderson of DLA Piper remains after the public has been excluded, for Item 7 of the Agenda (Mayor’s Report), as she has knowledge relating to this report that will assist the meeting.***

His Worship the Mayor/Skinner

Carried

Resolved CL/2023/177

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:***

His Worship the Mayor/Skinner

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)
	Mayor’s Report	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)(g) To maintain legal professional privilege

The meeting went into confidential session at 11.30a.m. and resumed in public session at 12.40p.m.

An alternative motion to recommendation 6 was moved by Cr Courtney, seconded by Cr Bengé, to withdraw the notification of Plan Change 29

Item 5: Confirmation of Minutes

and provide for further consultation and asked for a modified plan change.

During discussion it was noted that the alternative motion was proposed without analysis of the options and that the decision would be made without meeting the decision-making requirements under Part 6 of the Local Government Act 2002.

The motion 6 was put and a division was called.

Recommendation

That the Council

- 6. Receives the Mayor's update on Plan Change 29, notes the strong public opposition, and resolves to formally withdraw the notification, changing its status to a draft Plan Change, and continue community engagement and submissions on the draft, with the intention to renotify a modified Plan Change 29 following community engagement.*

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
His Worship the Mayor Hon Dr Smith (Chairperson)	Cr Anderson	Cr Rainey
Cr Bengé	Cr Brand	
Cr Courtney	Cr Hodgson	
Cr Paki Paki	Cr O'Neill-Stevens	
Cr Rollo	Cr Sanson	
	Cr Skinner	
	Cr Stallard	

The motion was lost 5 - 7.

The meeting adjourned from 1.22p.m until 2.22p.m.

His Worship the Mayor Hon Dr Smith spoke to Recommendation 6 of the Mayor's Report and tabled Supplementary papers outlining an engagement schedule (1118544611-7268 and 118544611-7267). Manager Community Engagement, Paul Shattock spoke on the proposed enhanced community engagement process.

Extension of Meeting Time

Resolved CL/2023/178

That the Council

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

His Worship the Mayor/Courtney

Carried

Item 5: Confirmation of Minutes

His Worship the Mayor Hon Dr Smith moved an amended motion for Recommendation 6, seconded by Councillor Sanson.

Resolved CL/2023/179

That the Council

- 6. *Receives an update on Plan Change 29 including an extension to the submission timeframe confirms the programme of additional neighbourhood information events (1118544611-7267) on Plan Change 29;***

His Worship the Mayor/Sanson

Carried

Attachments

- 1 1118544611-7268 - Memo on proposed additional engagement for Plan Change 29
- 2 1118544611-7267 -Plan Change 29 additional engagement

In returning to discussion on the storm recovery cost sharing package, His Worship the Mayor Hon Dr Smith, with the agreement of the seconder, amended clause 3 to clarify a decision would be made at the Council meeting on 19 October 2023.

The motion was taken in parts.

Clause 3

Resolved CL/2023/180

That the Council

- 3. *Agrees in principle to a cost-sharing package with the Government to support the recovery work from the extreme weather event of August 2022, subject to an officer's report detailing the implications and future cost to Council with a final decision to be made at the Council meeting on 19 October 2023; and***

His Worship the Mayor/Brand

Carried

Clause 4

That the Council

- 4. *Notes there will be additional costs to Council for up to 14 buyouts of properties where the cost to repair exceeds their value; and.***

Item 5: Confirmation of Minutes

His Worship the Mayor/Brand

Lost

Clause 5

Resolved CL/2023/181

That the Council

- 5. Instructs Council officers to prepare a report for the 19 October Council meeting on the next steps required to finalise the funding agreement with the Government.***

His Worship the Mayor/Brand

Carried

The remaining recommendations from the Mayor report were moved by Councillor Sanson, seconded by Cr Paki Paki.

Resolved CL/2023/182

That the Council

- 1. Receives the report Mayor's Report (R27917) and its attachment (1118544611-7258); and***
- 2. Acknowledges with a minute's silence the death of Seddon Marshall, who served on Nelson City Council for 33 years; and***
- 7. Agrees that Councillor Matty Anderson replace Deputy Mayor Rohan O'Neill-Stevens on the Community Housing Acceleration Taskforce, subject to Council approving the proposed revised Terms of Reference for the taskforce (R27788) on today's agenda.***

Sanson/Paki Paki

Carried

8. Draft Significance and Engagement Policy for consultation

Document number R27870, agenda pages 50 - 67 refer.

Group Manager Strategy and Communications, Nicky McDonald took the report as read, answered questions, and confirmed minor amendments to the Draft Significance and Engagement Policy (839498445-14234).

Resolved CL/2023/183

That the Council

Item 5: Confirmation of Minutes

1. **Receives the report Draft Significance and Engagement Policy for consultation (R27870) and its attachment (839498445-14234); and**
2. **Agrees that the proposed amendments to the existing Significance and Engagement Policy, outlined in paragraph 5.1 of this report (R27870), are sufficiently substantial to require public consultation; and**
3. **Adopts the amended Draft Significance and Engagement Policy in Attachment 1 (839498445-14234) for public consultation in accordance with sections 76AA, 82 and 82A of the Local Government Act 2002: and**
4. **Agrees that the consultation on the amended Draft Significance and Engagement Policy (839498445-14234) will occur at the same time as the Long Term Plan 2024-2034 consultation process; and**
5. **Agrees that His Worship Mayor Hon Dr Smith and the Chief Executive be delegated authority to approve any minor amendments required to the amended Draft Significance and Engagement Policy (839498445-14234) prior to it being made available for public consultation.**

Sanson/Skinner

Carried

9. Navigation Safety Policies and Harbour Safety Management System

Document number R27847, agenda pages 68 - 160 refer.

Group Manager Environmental Management, Mandy Bishop and Nelson Harbour Master, Stuart Whitehouse, took the report as read and answered questions on a draft Memorandum of Understanding with Tasman District Council, management of speed of vessels within the Port of Nelson and fuel spill management.

Resolved CL/2023/184

That the Council

1. **Receives the report Navigation Safety Policies and Harbour Safety Management System (R27847) and its attachments (1940938042-1672, 1940938042-1678, 1940938042-1651, 1940938042-1777, 1940938042-1956, 1940938042-1980); and**
2. **Approves the following:**

Item 5: Confirmation of Minutes

- **Harbour Safety Policy (Attachment 1, 1940938042-1672);**
 - **Harbour Safety Management System Harbour Safety Plan (Attachment 2, 1940938042-1678);**
 - **Harbour Safety Management System Manual (Attachment 3, 1940938042-1651);**
 - **Harbour Operational Policies (Attachment 4, 1940938042-1777);**
 - **Nelson Harbour Hot Work Policy (Attachment 5, 1940938042-1956); and**
3. **Receives the Port and Harbour Marine Safety Code external review report (Attachment 6, 1940938042-1980); and**
4. **Agrees to make the Harbour Safety Policy and Harbour Safety Management System documents publicly available on the Nelson City Council website (Harbourmaster page) and referenced in other relevant documents such as the Long-Term Plan.**

Sanson/O'Neill-Stevens

Carried

10. Draft Utilities Activity Management Plans 2024-34 (Water Supply, Wastewater, Stormwater)

Document number R27840, agenda pages 161 - 166 refer.

Deputy Chief Executive/Group Manager Infrastructure Alec Louverdis, Manager Utilities Activity Management, Phil Ruffell, Activity Engineer - Flood Protection, Toby Kay, and Activity Engineer – Wastewater, Warren Biggs took the report as read and answered questions on the high level summary of risks relating to damage resulting from storm events to the water supply, alignment of Utilities Activity Management Plans with Parks and Reserves Activity Management Plans and the budget required for the renewal of asbestos pipes and infrastructure.

Resolved CL/2023/185

That the Council

1. **Receives the report Draft Utilities Activity Management Plans 2024-34 (Water Supply, Wastewater, Stormwater) (R27840) and its attachments**
- **Draft 2024-34 Water Supply Activity Management Plan (5082210-161);**

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- ***Draft 2024-34 Wastewater Activity Management Plan (205082210-160);***
- ***Draft 2024-34 Stormwater Activity Management Plan (205082210-162); and***

2. Approves the -

- ***Draft 2024-34 Water Supply Activity Management Plan (5082210-161);***
- ***Draft 2024-34 Wastewater Activity Management Plan (205082210-160);***
- ***Draft 2024-34 Stormwater Activity Management Plan (205082210-162);***

as the versions to inform the development of the Long Term Plan 2024-2034; and

3. Notes that the-

- ***Draft 2024-34 Water Supply Activity Management Plan (5082210-161);***
- ***Draft 2024-34 Wastewater Activity Management Plan (205082210-160);***
- ***Draft 2024-34 Stormwater Activity Management Plan (205082210-162); and***

will be updated, and the final Activity Management Plans approved by Council after the adoption of the Long Term Plan 2024-2034.

His Worship the Mayor/O'Neill-Stevens

Carried

11. Draft Transport Activity Management Plan 2024

Document number R27886, agenda pages 167 - 171 refer.

Deputy Chief Executive Officer/Group Manager Infrastructure, Alec Louverdis and Team Leader Transport Activity Management, Drew Bryant took the report as read and answered questions on the risks and budgets relating to the regional road and cycleway connections between Nelson and Tasman.

Resolved CL/2023/186

That the Council

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1. ***Receives the report Draft Transport Activity Management Plan 2024 (R27886) and its attachment (1862260321-21129); and***
2. ***Approves the Draft Transport Activity Management Plan 2024-34 (1862260321-21129) as the version to inform the development of the Long Term Plan 2024-2034; and***
3. ***Notes that the Draft Transport Activity Management Plan 2024-34 (1862260321-21129) will be updated, and the final Activity Management Plan approved by Council after the adoption of the Long Term Plan 2024-2034.***

Hodgson/Rollo

Carried

12. Community Housing Acceleration Taskforce - Change of Terms of Reference

Document number R27788, agenda pages 172 - 180 refer.

Group Manager Environmental Management, Mandy Bishop and Strategic Housing Adviser, Lisa Gibellini took the report as read.

Resolved CL/2023/187

That the Council

1. ***Receives the report Community Housing Acceleration Taskforce - Change of Terms of Reference (R27788) and its attachment (336940202-7576); and***
2. ***Approves the revised Terms of Reference for the Community Housing Acceleration Taskforce in Attachment 1 (336940202-7576).***

Sanson/Hodgson

Carried

The meeting adjourned from 3.29p.m until 3.41p.m.

13. The City of Nelson Civic Trust - Council Controlled Organisation Exemption

Document number R27640, agenda pages 181 - 185 refer.

Group Manager Community Services, Andrew White and Strategic Adviser Community Services, Martin Croft, took the report as read.

Resolved CL/2023/188

That the Council

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1. ***Receives the report The City of Nelson Civic Trust - Council Controlled Organisation Exemption (R27640); and***
2. ***Approves an exemption to the City of Nelson Civic Trust for the purposes of Section 6(4)(i) of the Local Government Act 2002, in accordance with Sections 7(3) and 7(6) of the Act and after considering the matters in Section 7(5) of the Act.***

Courtney/Brand

Carried

14. Members' Code of Conduct

Document number R27350, agenda pages 186 - 220 refer.

Group Manager Strategy and Communications, Nicky McDonald and Manager Governance and Support, Devorah Nicuarta-Smith took the report as read, answered questions, and confirmed further minor amendments to the updated Members' Code of Conduct (839498445-17264).

Resolved CL/2023/189

That the Council

1. ***Receives the report Members' Code of Conduct (R27350) and its attachment (839498445-17264); and***
2. ***Adopts the amended updated Members' Code of Conduct (839498445-17264); and***
3. ***Notes that the amended updated Members' Code of Conduct (839498445-17264) will be made publicly available through Council's website.***

Sanson/Stallard

Carried

15. Exclusion of the Public

Resolved CL/2023/190

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***

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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:

His Worship the Mayor/Brand

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 - 10 August 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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. Section 7(2)(g) To maintain legal professional privilege Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Bishop Suter Trust - Trustee Rotation and Remuneration 2023/24	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Nelmac Limited - Director Reappointment	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a)

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Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		of information for which good reason exists under section 7	To protect the privacy of natural persons, including that of a deceased person
4	Nelmac Limited - Director Remuneration 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)

The meeting went into confidential session at 3.49p.m. and resumed in public session at 4.31p.m.

Karakia Whakamutanga

16. Restatements

It was resolved while the public was excluded:

1 Chief Executive Employment Committee 20 July 2023

2. Agrees that the Decision and Attachment (825582513-296) be made publicly available.

2 Bishop Suter Trust - Trustee Rotation and Remuneration 2023/24

7. Agrees that the decision only be made publicly available once the 2023 Bishop Suter Trust Annual General Meeting has taken place.

3 Nelmac Limited - Director Reappointment

3. Agrees that the decisions only be made publicly available once the 2023 Nelmac Limited Annual General Meeting has taken place.

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4 Nelmac Limited - Director Remuneration 2023

3. Agrees that the decision be made publicly available once the 2023 Nelmac Annual General Meeting has taken place.

There being no further business the meeting ended at 4.32p.m.

Confirmed as a correct record of proceedings by resolution on (date)

Resolved

Report Title: Mayor's Report
Report Author: Hon Dr Nick Smith - Mayor
Report Number: R28055

1. Purpose of Report

- 1.1 To acknowledge the death of former Nelson City Councillor Bob Straight.
- 1.2 To acknowledge 10 years of service by Councillor Tim Skinner.
- 1.3 To acknowledge 25 years of service by Group Manager Infrastructure and Deputy Chief Executive Alec Louverdis.
- 1.4 To delegate approval of a planned Council submission on the Inquiry into Climate Adaptation.
- 1.5 To recollect on my first year as Mayor.

2. Recommendation

That the Council

1. ***Receives the report Mayor's Report (R28055); and***
2. ***Acknowledges with a minute's silence the death of former Nelson City Councillor Bob Straight; and***
3. ***Acknowledges 10 years of service by Councillor Tim Skinner; and***
4. ***Acknowledges 25 years of service by Group Manager Infrastructure and Deputy Chief Executive Alec Louverdis; and***
5. ***Delegates to Councillors Aaron Stallard, Matthew Benge, Mel Courtney, Rachel Sanson and His Worship Mayor Hon Dr Smith approval of Council's submission to Parliament's Environment select committee on the Inquiry into Climate Adaptation, which is considering***

options for community-led retreat and adaptation funding.

3. Discussion

Death of former Councillor Bob Straight

- 3.1 Former Nelson City Councillor Bob Straight died on 9 October 2023, aged 96. He served on Nelson City Council from 1986 to 1992.
- 3.2 Bob was a Lieutenant Colonel in the British Army, who served in World War II as a gunner, with the New Zealand Army in Malaysia and Borneo and with the United Nations before settling in Nelson.
- 3.3 Bob was well respected around the Council table as a down-to-earth, sensible and likeable man who had a particular passion for Nelson's parks and reserves. He was very active and often took a practical interest in all aspects of Council work, from roads and footpaths to water supplies, wastewater and storm water – with a close eye on whether ratepayers were getting value for money.
- 3.4 Our condolences are with Bob's loved ones. I ask for everyone to observe a minute's silence in remembrance of Lieutenant Colonel Bob Straight's military and Council service.

A service milestone for Councillor Tim Skinner

- 3.5 Councillor Tim Skinner will clock up 10 years of service to Nelson City Council on 20 October 2023, a milestone worth marking.
- 3.6 Tim has long been an effective advocate for our city with a particular passion for sport and business. I particularly acknowledge his work this term on the Marina and Tāhunanui Sports Facilities Taskforce and the progress in establishing a board for the new Nelson Marina management company.

Alec Louverdis delivers a quarter-century of service

- 3.7 Group Manager Infrastructure and Deputy Chief Executive Alec Louverdis has also achieved an impressive milestone this month with 25 years' service to our community and Council.
- 3.8 Alec carries an incredible workload for Council, overseeing hundreds of millions worth of water, roading and community infrastructure. Every day, we 57,000 Nelsonians rely on this infrastructure working, without fully appreciating the constant effort required to keep it reliable. Alec would want me to recognise the team members who support him, but an effective leader is required to oversee these huge responsibilities.
- 3.9 I particularly want to acknowledge Alec's sterling work on the city's recovery from the August 2022 extreme weather event. He, more than anyone, has carried the burden of the tackling the damage wrought and

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worked incredible hours over the past year to ensure tens of millions of repair work was done.

- 3.10 A quarter-century is a stunning slice out of any person's career. Thank you, Alec, on behalf of your community.

Council submission to Environment select committee

- 3.11 Parliament's Environment select committee has called for submissions by 1 November 2023 on an Inquiry into Climate Adaptation, which is considering options for community-led retreat and adaptation funding.
- 3.12 There has been insufficient time for a submission to be drafted and approved for this Council meeting but it is important that our Council expresses a view, given the challenges we have faced recently. The alternative would be to get retrospective approval at the Council meeting on 9 November 2023 but this is not ideal.
- 3.13 The proposal is that Council delegate to the Elected Members on the Climate Change Taskforce the role of approving the submission. The intention is for a draft to be circulated to all Elected Members. They will then provide feedback to Taskforce lead, Councillor Aaron Stallard, who will then co-ordinate final approval with the other Taskforce members – His Worship the Mayor Nick Smith and Councillors Matthew Bengé, Mel Courtney and Rachel Sanson.

A year as Mayor

- 3.14 It is a year since I was elected Mayor and the 12 Elected Members who sit with me around this table were chosen by the voting public as Councillors to serve the city of Nelson for this triennium. A year into our three-year term is a good time to reflect on some of the challenges we've faced and the milestones we've achieved.
- 3.15 My top priority on being elected was to lead an effective recovery from the August 2022 extreme weather event. We have fixed key infrastructure and successfully battled the Government to secure, at \$12.3 million, an equivalent offer of support as North Island storm-affected communities received. We are building back better and tightening the planning rules to reduce future risks. The toughest part of the recovery work is the dozens of landslides and the last remaining 10 red-stickered properties. Thank you to all Council staff involved in this massive recovery effort as well as the Councillors. I would like to particularly thank my fellow Storm Recovery Taskforce members, Councillors Matty Anderson and Trudie Brand, who have been a huge help in coming to grips with vast amounts of information and keeping the momentum on progressing solutions.
- 3.16 In the election campaign period, I made a commitment to oppose the proposed \$46 million library along the Maitai River. Council has shelved this proposal. Instead, we got on with fixing the ceiling tiles and structural problems in the Elma Turner Library, which will be fully

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reopened in early 2024. Special thanks to my fellow Elected Members on the Elma Turner Library Reopening Taskforce – Councillors Kahu Paki Paki, Tim Skinner and Aaron Stallard. We have work ahead of us in determining the timeframe, concept and location of our long-term future main city library.

- 3.17 We have also made progress on housing and climate change. The Community Housing Acceleration Taskforce has proven to be effective in helping Council partner with the community housing sector to get more affordable housing built. There are no magic answers to this complex and difficult issue but Council is keen to do its part. I particularly acknowledged Taskforce lead, Councillor Rachel Sanson, for her energy and work in this challenging area.
- 3.18 The eBus service, introduced on 1 August 2023, is the most important step to date in reducing Nelson's emissions. We've seen an increase in the number of journeys for September, which totalled 71,803, up from 67,944 in August. That August total was already a 68% increase on the number of journeys on the old NBus service. The eBus service has not been without bumps and we will continue to need to make refinements for it to reach its full potential.
- 3.19 Elected Members are making a real effort to work together. Deputy Mayor Rohan O'Neill-Stevens is proving to have wisdom beyond his years in helping to build a positive culture.
- 3.20 My thanks to all Elected Members and Council staff on a good first year as we strive to work together and do the best for our community.

General Election

- 3.21 This report has been written prior to the General Election but it is inevitable that the result will have a significant influence over areas of work for Council. Major reforms such as Three Waters, resource management, transport and the future for local government may change as a consequence of the election result and coalition negotiations. When the dust settles, we will need to position Nelson so as to make the most of the opportunity afforded by whomever is in Government.

Attachments

Nil

Report Title: City Centre Playspace
Report Author: Lisa Gibellini - Strategic Housing Adviser
Report Authoriser: Mandy Bishop - Group Manager Environmental Management
Report Number: R27935

1. Purpose of Report

- 1.1 To consider a recommendation from the City Centre Playspace Taskforce on the site selection and future engagement intentions.

2. Recommendation

That the Council

1. ***Receives the report City Centre Playspace (R27935) and its attachment (336940202-7652); and***
2. ***Approves the location of the city centre playspace as being in Rutherford Park; and***
3. ***Notes that following site selection, the City Centre Playspace Taskforce will consider engagement options to seek the views of iwi and the community on the potential design and equipment features of the playspace.***

3. Background

- 3.1 The proposal for a city centre playspace came out of the Heart of Nelson Strategy adopted by Council in 2009. That strategy identified the need for a dedicated family adventure play area in the central city and identified Rutherford Park or Riverside Park as possible locations.
- 3.2 Budget was first set aside for a Rutherford Park playground in the 2015-25 Parks and Reserves Activity Management Plan. The Long Term Plan 2015 to 2025 included budget of \$614,000 for a high quality play space in Rutherford Park near the Maitai shared pathway (this site was identified in the Rutherford Park Development Plan). It stated that

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Council would be looking for investment partners to create an exciting and unique facility which appeals to a wide range of ages.

- 3.3 The Long Term Plan 2018-2028 subsequently included budget of \$1.8 million for a development in Rutherford and Trafalgar Parks as urban parks.
- 3.4 Through the Annual Plan 2019/20 Council decided to change the location to the city centre. The Annual Plan consultation document stated that the Long Term Plan had included a development in Rutherford Park, and that Council proposed to transfer \$20,000 of funding from this project to the City Centre Programme incorporate a park in the City Centre.
- 3.5 A city centre playspace project sits within the Playful People action from Te Ara o Whakatū, Council's strategy for Nelson's city centre, that was adopted in December 2021. This project proposed a green playspace on Council owned land that will help make the city centre welcoming for rangatahi/whānau, and encourage them to visit, spend time, and even live, in the city centre. The city centre playspace offers the opportunity to provide more recreation space for people in the city.
- 3.6 On 10 May 2023 Council approved the purchase the Suburban Bus Lines (SBL) site at 25 and 27 Bridge Street for urban development or transport purposes (an interim public transport interchange). That report R26824 identified potential future uses of the site as being for a city centre playspace, park or open space, or as an opportunity to leverage a housing development.
- 3.7 The officer advice in report R26824 was that it was most suited as a playspace, park or open space to compliment the Bridge Street Linear Active Transport Corridor (now known as Bridge to Better) and the adjoining proposed housing developments on Achilles and Rutherford Council owned property. No decisions were made by Council on its future use. The site is currently being used as the bus hub for eBus services.
- 3.8 The Council was awarded \$2.45 million Better Off Funding (BOF) to accelerate the playspace project. In addition, \$300,000 is already included in the Long Term Plan in 2024/25 as part of the city centre programme. A further \$281,896 in 2024/25 and \$792,585 in 2026/27 is available from the Parks and Active Recreation activity budget. If no changes to budgets are made as part of the LTP 2024 then the project has a total budget of \$3.824 million.
- 3.9 There is no budget, however, for the ongoing maintenance and repairs for this playspace which is estimated to be 5% of the value of the facility per year. The Better Off Funding contract requires that the project be completed construction by 30 June 2027.
- 3.10 On the 10 of August 2023 the City Centre Playspace Taskforce was created as part of the Governance Structure Review, the terms of reference states that the role of the taskforce is to:

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- 3.10.1 Assist Council to deliver on a playspace in the city centre that will contribute to its revitalisation;
- 3.10.2 Consider the engagement process to identify the location and features of the playspace;
- 3.10.3 Identify opportunities to align the timing of the construction of the playspace with other proposed works in order to minimise disruption and make efficiency gains;
- 3.10.4 Provide recommendations to Council on the best pathway to the identification of the Playspace location, features, and construction timing.

4. Discussion

- 4.1 The City Centre Playspace taskforce met on 14 August 2023, and considered the advantages, disadvantages and risks of a number of existing Council owned properties located in and directly adjoining the city centre. Due to the commitment to complete construction of the playspace by 30 June 2027, and general feedback from the community to taskforce members that the playspace should proceed with urgency, no other privately owned property was evaluated due to the time a new purchase would take.
- 4.2 The Council owned sites considered for the playspace by the Taskforce were:
 - 4.2.1 Rutherford Park
 - 4.2.2 25 & 27 Bridge Street (SBL site)
 - 4.2.3 Riverside Park (adjacent to Riverside Pool)
 - 4.2.4 29 & 29b Halifax Street (Pop Up Park site currently leased from Wakatu Incorporation)
- 4.3 The Taskforce considered the advantages and disadvantages of each site, along with community feedback they have heard to date, before coming to the agreement that Rutherford Park provides the best opportunity for a destination playground. The Taskforce considers the destination playground would be best placed alongside the Maitai walkway in the area around 'Old Lumpy' (the existing concrete skate facility). The aerial below identifies the location in yellow.

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- 4.4 The Taskforce considered that while the site at 25 & 27 Bridge Street (the SBL site) was more centrally located it isn't sufficient in size to accommodate a destination playground but that it also has potential for a complimentary open space/recreation area in the city centre, which could be subject to a future project. The Taskforce considers that there is a desire to enhance play opportunities throughout the city centre, but this would be a separate project from the higher priority destination playground.
- 4.5 The Riverside Park location was considered too small and not centrally located, as well as potentially compromising any future pool expansion. 29 and 29b Halifax Street was considered a good location however it is not Council owned.
- 4.6 A summary of the site assessment for each of the sites identified above considered by the Taskforce is included in Attachment 1.
- 4.7 The Taskforce also considered whether an engagement process was necessary before the Council could feel sufficiently informed of public views on the location of the play space. Timing of such engagement alongside Councils other engagement process (Bridge to Better and the LTP) was also considered. Given the previous engagement undertaken as part of the LTP 2018-2028 and the Annual Plan 2019/20, combined with informal feedback to the Taskforce and other elected members, the Taskforce considered that Council is sufficiently informed of community views on the playspace, and that the general feedback is that the Council needs to get on and build the project.
- 4.8 The Taskforce proposes that following approval of the Rutherford Park location for the playspace, an engagement approach is developed by officers and the Taskforce, including engagement with iwi. This engagement would focus on seeking community views on the design and equipment features of the playspace.

5. Options

- 5.1 The Council has the following five options to consider in relation to the recommendation of the City Centre Playspace Taskforce. The Taskforce recommends Option 1 as the preferred option.

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Option 1: Approve Rutherford Park as the preferred location (recommended)	
Advantages	<ul style="list-style-type: none"> • This site was assessed by the Taskforce as best meeting requirements for a destination playground in the city centre. • This site has previously been consulted on through two Long Term Plans. • Enables Council to commence engagement with the community on the design and equipment features of the playground rather than revisiting site selection. • Enables the Taskforce to seek other external funding opportunities with partners. • Enables the Better Off Funding timeframe for delivery of the project to be met.
Risks and Disadvantages	<ul style="list-style-type: none"> • Council has not recently formally sought public feedback on the preferred location for a playspace, however this is mitigated by informal feedback received by the Taskforce that there is a need to proceed with the project with urgency, and that the project is not of high significance in terms of Council's Significance and Engagement Policy. • Some may perceive the loss of open space at Rutherford Park and increase in associated activity (e.g. traffic) to be a disadvantage, however this location is arguably an underused park resource and has been identified in the Rutherford Park Development Plan.
Option 2: Approve one of the other sites assessed as the preferred location	
Advantages	<ul style="list-style-type: none"> • Enables Council to commence engagement with the community on the design and equipment features of the playground rather than revisiting site selection. • Enables the Taskforce to seek other external funding opportunities with partners. • Enables the Better off Funding timeframe for delivery of the project to be met.
Risks and Disadvantages	<ul style="list-style-type: none"> • Has not been assessed by the Taskforce as being suitable for a destination playground. • There has not been previous consultation undertaken by Council on any of these sites.

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	<ul style="list-style-type: none"> • There are multiple risks and/or disadvantages with the other assessed sites as outlined in Attachment 1 to this report.
Option 3: Direct that the Taskforce considers other locations not yet assessed	
Advantages	<ul style="list-style-type: none"> • May result in a better site being identified.
Risks and Disadvantages	<ul style="list-style-type: none"> • May not result in a better site being identified. • Will result in a delay on the project which may mean it is difficult to meet Better Off Funding timelines. • May require a public feedback process which will also delay project implementation. • May require additional land purchase which would have financial and time delay implications.
Option 4: Direct that the taskforce undertakes community engagement to consider community views on the preferred location	
Advantages	<ul style="list-style-type: none"> • May ensure the Council is more fully informed of current community views on the location of the playspace.
Risks and Disadvantages	<ul style="list-style-type: none"> • Will result in a delay on the project which may mean it is difficult to meet Better Off Funding timelines. • May result in frustration within the community who have already actively participated in previous consultations on site selection and/or provided feedback to Taskforce members on the need to commence with this project with urgency following years of planning and delay. • Cost of community engagement.
Option 5: Status Quo (Do nothing)	
Advantages	<ul style="list-style-type: none"> • Will result in budget savings of \$1.3 million currently allocated within the Long Term Plan in the City Development and Parks and Active Recreation budgets.
Risks and Disadvantages	<ul style="list-style-type: none"> • Will mean that the Better Off Funding could be re-allocated to another project. • Does not meet the goals of Te Ara ō Whakatū which proposed a green Playspace on Council owned land that will help make the city centre welcoming for rangatahi/whānau, and

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	<p>encourage them to visit, spend time, and even live, in the city centre.</p> <ul style="list-style-type: none">• Goes against community feedback received that there needs to be more investment in the city centre to attract residents, visitors and revitalisation of the city centre.
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6. Conclusion

- 6.1 The City Centre Playspace Taskforce has considered the advantages, disadvantages and risks of a number of sites located in and directly adjoining the city centre for the location of a destination playground. This has resulted in the recommendation that Council approve Rutherford Park as the preferred location.

7. Next Steps

- 7.1 The City Centre Taskforce will consider a proposed engagement approach on how to seek community views on the design and equipment features of the playspace.
- 7.2 The City Centre Taskforce will also seek other external funding opportunities.

Attachments

Attachment 1: 336940202- 7652 - Playspace Site Assessment [↓](#)

<p>Important considerations for decision making</p>
<p>Fit with Purpose of Local Government</p> <p>The decision to select a site to enable the implementation of the City Centre playspace will support the economic, environmental, cultural and social wellbeing of the community.</p>
<p>Consistency with Community Outcomes and Council Policy</p> <p>The recommendations in this report support the community outcome: Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement. The recommendations also give effect to the Playful People action from Te Ara o Whakatū, Council’s strategy for Nelson’s city centre, that was adopted in December 2021.</p>
<p>Risk</p> <p>The recommendation to select Rutherford Park as the preferred location for the city centre playspace is of low risk, in that of all the sites assessed by the taskforce this site best enables a destination playground on Council owned property to be achieved with the Better off Funding timeframe, and is the only site that the Council has previously sought public feedback on for the playspace.</p>
<p>Financial impact</p> <p>The Council was awarded \$2.45 million Better off Funding to accelerate the playspace project. In addition, \$300,000 is already included in the Long Term Plan in 2024/25 as part of the city centre programme. A further \$281,896 in 2024/25 and \$792,585 in 2026/27 is available from the Parks budget. If no changes to budgets are made as part of the LTP 2024 then the project has a total budget of \$3.824 million. There will be ongoing maintenance and renewal costs associated with the playground (5% of the playspace cost per year), that will need to be factored into future parks budgets.</p>
<p>Degree of significance and level of engagement</p> <p>This matter is of low significance because the Rutherford Park location has been previously consulted on, and the Council has been informed of community views on the need for a destination playground in the city centre, the project is majority funded from Better off Funding with the remaining budget already contained in the Long Term Plan. Engagement with the community to seek views on the design and equipment features of the playspace will be undertaken as a next step.</p>
<p>Climate Impact</p> <p>The location of the Playspace with Rutherford Park may be subject to inundation from sea level rise in the future if the Council does not adopt a</p>

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mitigation/adaption strategy. The playspace will however unlikely have a life span of more than 30 years and is likely to be subject to renewal before sea level rise significantly affects the site (if the Council does not adopt any mitigation or adaptation strategy). The design brief for the playspace will need to include climate change considerations as per Council's procurement policy including the source and materials of equipment, the need for shade, and the potential for relocation and adaption.

Inclusion of Māori in the decision making process

No engagement with Māori has been undertaken in preparing this report.

Delegations

The council has power to make decisions on recommendations from the City Centre Playspace taskforce.

Report Title: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

Report Author: Rebecca Van Orden - Manager Property Services

Report Authoriser: Nikki Harrison - Group Manager Corporate Services

Report Number: R28012

1. Purpose of Report

- 1.1 To consider and approve the Stoke Library Building Improvements budget of \$581,229 allowed for in the 2021-31 Long Term Plan in financial year 2024/25 being brought forward to the current financial year 2023/24 to enable compliance upgrade work to be completed.

2. Recommendation

That the Council

1. ***Receives the report Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25 (R28012); and***
2. ***Approves the Stoke Library Building Improvements budget of \$581,229 allowed for in the 2021-31 Long Term Plan in 2024/25 to be brought forward to the current year 2023/24 to enable the following necessary upgrade work to be completed:***
 - a. ***Roof leak remediation***
 - b. ***Skylight alteration***
 - c. ***Roof cladding renewal to main roof.***

3. Background

- 3.1 Stoke Library is a well-used facility. Many of the regular user groups, including the elderly, local school children and their families, do not often travel outside of Stoke and consequently are reliant on the services provided by this small community library.

Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

- 3.2 In 2019 weather-tightness and structural remedial work was undertaken under a temporary building consent to make the building structurally safe. The project addressed leaks (flashings) and recladding of some areas.
- 3.3 Due to the planned major renovation/extension of the Stoke Library in the Long Term Plan 2018-28 the structural design for the weather-tightness issue was conducted as a short term solution and was expected to last for approximately five years to keep the library operating until a renovation/rebuild got underway.

4. Discussion

- 4.1 Given that no redevelopment has occurred, the temporary building consent is about to expire, with the effect that the building will no longer be able to be used for a public library unless compliance work is completed which will enable the building consent to be extended.
- 4.2 Officers wish to seek BCA approval for a 20-year extension to the building consent and a scope of work to remove the temporary consent status has been reviewed. Work must commence to lift the temporary nature of the 2019 building consent.
- 4.3 The proposed engineer's application to the territorial authority will support a request for a 20-year extension, being the remaining time on the building consent for the original library building.
- 4.4 As there are no plans to invest in a new/ upgraded library service in Stoke at present, undertaking the urgent work is the best option if Council wishes to retain a library service in Stoke.
- 4.5 The consequence of not seeking an extension and carrying out the upgrade work is that Council would not be able to continue library services at this property.
- 4.6 There is \$581,229 allowed for in the 2024/25 financial year of the Long Term Plan 2021-31 to undertake this work. It can be taken that this was an error in phasing given that works would have to be underway prior to January 2024 to extend the temporary building consent.

Project Scope of Work

- 4.7 The following scope of upgrade work has been outlined following an engineer's inspection and is required to satisfy an extension to the temporary building consent, supporting a request for 20-year extension.

Stage 1 Minor work – roof leak remediation

Stage 2 Medium work – skylight alteration

Stage 3 Medium work – replace main roof metal cladding and flashings

Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

- 4.8 There are no 'degrees of compliance', all matters will need to be addressed to lift the temporary status.
- 4.9 It is intended that all 3 stages of the scope would be completed within the 2023/24 financial year. It is expected that the full budget should not be required to complete the above scope, but for ease of planning all the funds are proposed to be brought forward to provide for the full completion of works to meet the requirements of the building consent and obtain the 20-year extension. Unspent funds would be considered project savings and be released from the project.

Future of Stoke Library

- 4.10 Stoke Library is approaching end of life phase, some of this relates to elements that are included in the proposed works, such as the roof cladding, but the building has also been identified as being not fit for purpose for the following reasons:
 - a) the area available (space) is too small and unable to meet demand
 - b) the layout of the space is not supportive of the need for multiple activity use (acoustics, area available, space separations etc) and in many cases prevents activities from being run at the same time. This places extra pressure on the demand level at Stoke Library.
 - c) Security risk to staff from anti-social behaviour is higher due to building access points, orientation to carparking/road
- 4.11 Council will need to plan for the future of Stoke Library as a major upgrade or new facility. Although this has not been identified in the current Long Term Plan, largely due to focus on Library services needs and budget required for a Central City library, it will need to become part of council's future long term planning.
- 4.12 The decision to extend the temporary consent by 20 years allows time for this, but equally should not been taken as the recommended timeframe to address the needs of Stoke Library. There is currently no allowance in draft budgets for the 2024-24 Long Term Plan for a major redevelopment of the Stoke Library.

5. Options

- 5.1 The following options have been considered in bringing this decision to Council, with option 1 being the officer's recommended option:

Option 1: Bring forward the budget of \$581,229 allowed for in the 2021-31 Long Term Plan in financial year 2024/25 to the current financial year 2023/24 to enable necessary upgrade work to be completed on the Stoke Library

Advantages	<ul style="list-style-type: none">• Temporary building consent is removed
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Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

	<ul style="list-style-type: none"> Stoke Library is able to continue to operate in current building 20-year extension provides time to plan for the future of library services in Stoke There is sufficient budget to complete this work in the current Long Term Plan Cost is likely to increase over time
Risks and Disadvantages	<ul style="list-style-type: none"> Budget phasing was incorrect and will impact debt levels for 2023/24 financial year
Option 2: Do not bring forward the budget of \$581,229 allowed for in the 2021-31 Long Term Plan in financial year 2024/25 to the current financial year 2023/24 to enable necessary upgrade work to be completed on the Stoke Library	
Advantages	<ul style="list-style-type: none"> Budget phasing remains unchanged
Risks and Disadvantages	<ul style="list-style-type: none"> Temporary building consent remain until January 2024 and BCA may not permit continued public use of the building until works are completed Stoke Library is not able to continue to operate in current building until works are completed in 2024/25

6. Next Steps

6.1 If the recommendation is approved, the following steps will occur:

Action	Target Date
Stage 1 Minor works contractor engagement and programme established (earliest start date)	31 October 2023
NCC (asset Owner) letter of notification under Section 114 of the Act prepared for BCA. Engineer provided copy to coordinate delivery schedule and other documents to BCA.	31 October 2023
Building Consent consultant documents issued to NCC for approval	6 November 2023
Consent lodged (latest date to enable pre-Christmas approval, approval by Jan 24th critical path)	13 November 2023
Last date (self-imposed) for completion of all minor site works (Stage 1)	15 December 2023
Stage 2 & 3 Building consent approved	22 December 2023
Last date for Certificate of Public Use (CPU) application lodged). Must be issued prior to site work.	1 February 2024

Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

Stage 2 consented work start on site - Skylight - March preferred by library staff, exact date flexible. CPU in place.	March 2024
Stage 2 complete	March 2024
Stage 3 timeframe TBC (possibly at same time as stage 2)	TBC
CCC issue by Territorial Authority, final status of temporary consent lifted.	TBC

Attachments

Nil

Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

Important considerations for decision making
Fit with Purpose of Local Government <p>The provision of library services is a core function of local government which supports the cultural and social wellbeing of the community.</p>
Consistency with Community Outcomes and Council Policy <p>This report fits with the following Community Outcomes:</p> <p>Our communities have opportunities to celebrate and explore their heritage, identity and creativity</p> <p>We are proud of and celebrate our history and heritage and how that contributes to our identity. We have a strong sense of community, enhanced by the wide range of arts, cultural and sporting opportunities on offer.</p> <p>Our communities have access to a range of social, educational and recreational facilities and activities</p> <p>Nelson has developed high quality sports and recreation facilities for all ages. There are educational and leisure opportunities for the whole community to enjoy. We protect, enhance, and celebrate Nelson’s human heritage and historic sites.</p>
Risk <p>Council faces reputational risk from closure of the Stoke Library facility.</p>
Financial impact <p>The budget is included in the current Long Term Plan (2021-31) but would be brought forward by one year.</p>
Degree of significance and level of engagement <p>This matter is of low significance and no engagement has been undertaken as there was funding allocated for upgrade works in the Long Term Plan 2021-31. No engagement will be required, however the public and stakeholders will be kept informed about the progress of this project through the Council’s communication channels, including Our Nelson, social media and media release as the work progresses.</p>
Climate Impact <p>There is no direct climate impact from the matters in this report</p>
Inclusion of Māori in the decision making process

Item 9: Stoke Library Building Compliance Upgrade - bring forward budget from 2024/25

No engagement with Māori has been undertaken in preparing this report.

Legal context

Council has power to make this decision under the Local Government Act 2002 (subpart 1 section 10 (1)(b), section 12 (2)(b) and section 14, (1)(g).

Delegations

This is a matter for full Council.

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

Council



19 October 2023

Report Title:	New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy
Report Author:	Andrew Petheram - Principal Parks and Facilities Activity Planner
Report Authoriser:	Andrew White - Group Manager Community Services
Report Number:	R27952

1. Purpose of Report

- 1.1 To consider a recommendation, following a request from Central Districts Cricket, to allow a one-off exemption to the Saxton Field Management Plan for alcohol advertising at three games of international cricket at Saxton Oval.

2. Summary

- 2.1 Advertising of alcohol at Saxton Field, apart from price and product schedules at point of sale, is inconsistent with the Saxton Field Reserve Management Plan 2021.
- 2.2 The Saxton Field Committee has considered an application from Central Districts Cricket to accept Asahi Beverages NZ as a major sponsor of three international cricket games at Saxton Oval on 20 December 2023 and 22 and 24 March 2024, including associated alcohol advertising rights.
- 2.3 The sponsorship agreement allows Asahi Beverages NZ signage advertising rights at the venue.
- 2.4 The Committee Chair and Committee Councillors, His Worship The Mayor Hon Dr Smith and the Chief Executive have agreed that the matter be considered directly by both Nelson City Council and Tasman District Council and recommend that the application be approved to enable the three games to proceed in Nelson.

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

- 2.5 This decision would be significantly inconsistent with or is anticipated to have consequences that will be significantly inconsistent with, the Saxton Field Reserve Management Plan.
- 2.6 The recommendation is made in accordance with Section 80 of the Local Government Act 2002 and reflects on the benefits of holding international cricket in Nelson and future implications for Saxton Field and for the region.

3. Recommendation

That the Council

- 1. Receives the report New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy (R27952); and***
- 2. Notes Asahi Beverages NZ as a major sponsor of the three games of international cricket at Saxton Field on:***
 - 20 December 2023***
 - 22 March 2024***
 - 24 March 2024; and***
- 3. Approves, subject to the approval of Tasman District Council, an exemption to clause 4.8.2.3 of the Saxton Field Reserve Management Plan to allow alcohol advertising at the three international cricket events at Saxton Field; and***
- 4. Notes under section 80 of the Local Government Act 2022, that the decision to allow alcohol advertising at the international cricket events at Saxton Field:***
 - a. is inconsistent with the alcohol policy in the Saxton Field Reserve Management Plan, which states that the advertising of alcohol shall not be permitted on Saxton Field, apart from price and product schedules at point of sale; and***
 - b. that the reason for this inconsistency is that the Councils need to allow a key sponsor to advertise alcohol at the venue during the events; and***
 - c. that Council does not intend to amend the Saxton Field Reserve Management Plan at this time to accommodate the decisions.***

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

4. Background

- 4.1 Central Districts Cricket has booked Saxton Oval for three games of international cricket, Blackcaps v Bangladesh ODI on 20 December 2023, White Ferns v England T20 on 22 March 2024 and again on 24 March 2024.
- 4.2 Asahi Beverages NZ has been named by New Zealand Cricket as the sponsor of these three events. This sponsorship includes rights to advertise alcohol at host venues.
- 4.3 The Saxton Field Reserve Management Plan states in clause 4.8.2.2 '*Sale of alcohol may be permitted in temporary structures such as tents during temporary events*'. However, the Plan goes on to state in clause 4.8.2.3 '*The advertising of alcohol shall not be permitted on Saxton Field, apart from price and product schedules at point of sale*'. Therefore, the proposed decisions sought in this report are inconsistent with the advertising section of the alcohol policy in the Plan.
- 4.4 Officers have advised Central Districts Cricket that the Reserve Management Plan does not permit alcohol advertising at Saxton Field.
- 4.5 Central Districts Cricket has replied that without this major sponsor New Zealand Cricket would withdraw the games from the region.

5. Discussion

Saxton Field Committee

- 5.1 The Saxton Field Committee has the power to decline the application as it conforms with policy but not to decide on an exemption.
- 5.2 The next Committee meeting on 7 November 2023, followed by the Council meeting on 9 November, would not allow time for Central Districts and New Zealand Cricket to arrange alternative venues if the application was unsuccessful. The Saxton Field Committee Chair and Committee Councillors, the Mayors and Chief Executives of both Nelson City and Tasman District Councils have directly referred the decision to the two Councils.

Reserve Management Plan Hearing submissions

- 5.3 Nelson Marlborough District Health Board (NMDHB) was the sole submitter on alcohol advertising.
- 5.4 NMDHB supported not allowing alcohol advertising on the reserve:
'A 2016 systematic review assessing the evidence on the relationship between alcohol sports sponsorship and alcohol consumption found that of seven studies identified, all indicated that exposure to alcohol sports sponsorship is associated with increased levels of consumption and risky drinking amongst

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

schoolchildren and sportspeople. The majority of New Zealanders support restrictions on alcohol advertising that can be seen or heard by young people. The 2016 Health and Lifestyles Survey found 80% of New Zealanders in favour of increasing restrictions on alcohol advertising or promotion seen or heard by people under 18, while 68% supported banning alcohol-related sponsorship of events that people under 18 may attend.'

Decision inconsistent with policy

- 5.5 The two Councils can make a decision that is inconsistent with the policy for a specific event occurring at Saxton Field. However, when making an inconsistent decision, the resolution must address the requirements of section 80 of the Local Government Act 2002. This section requires that the Councils clearly identify a decision that is significantly inconsistent with or is anticipated to have consequences that will be significantly inconsistent with, any existing Council policies or plans, the reasons why the decision is being made, and any intention to amend the relevant policies or plans to accommodate the decision.

Reasons to grant an exemption

- 5.6 Withdrawal of games

Asahi Beverages NZ is a key sponsor of New Zealand Cricket. Without its sponsorship Central Districts Cricket has advised that it will have no option other than to withdraw the games from the region.

- 5.7 Vision

The Saxton Field Reserve Management Plan states:

*Part 1 Clause 2 '**Sport and events** - Saxton Field is a role-model for sports clustering, enabling multiple high-quality regional and local sports, and selected national and international events, to operate collaboratively from within the complex.'*

- 5.8 Capital Investment

Significant capital investment has been made by the two Councils and funding agencies in land purchase, facilities development development including the wicket block and outfield, the pavilion, and media facilities. This investment has been made on the understanding that local, regional and international events will be held at Saxton Oval.

- 5.9 Ongoing maintenance

Similarly, maintenance of the wicket block and outfield is expensive with annual operating costs of approximately \$280,000. To justify this expenditure the cricket facilities need to be used, and particularly for international games when opportunities arise.

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

5.10 Financial return to the community

Central Districts Cricket is predicting high attendance at all three games with world-wide television coverage.

The three international games over the summer period are predicted by the Nelson Regional Development Agency to return in the order of \$2.5m to the region.

Review of policy

5.11 Staff consider that the alcohol policy in the Saxton Field Reserve Management Plan does not require review or change at this time. When the Plan is next reviewed, consideration could be given to making an exemption to allow alcohol advertising for international sporting events. Consultation with the community would be required.

6. Options

6.1 The following options have been considered by the Saxton Field Committee. Option 1 is the recommended option, to accept the proposal to allow Asahi Beverages NZ to advertise alcohol at Saxton Oval for three international cricket matches.

Option 1: Accept the proposal to allow Asahi Beverages NZ to advertise alcohol at Saxton Field for three international cricket matches pursuant to a sponsorship agreement between New Zealand Cricket and Asahi Beverages NZ	
Advantages	<ul style="list-style-type: none"> • Games proceed at Saxton Field. • Expensive cricket facilities are used. • Significant financial return to the region.
Risks and Disadvantages	<ul style="list-style-type: none"> • The decision is inconsistent with the Saxton Field Reserve Management Plan. • The harm caused by the abuse of alcohol in the Community is ignored.
Option 2: Decline the proposal to allow Asahi Beverages NZ to advertise alcohol at Saxton Field for three international cricket matches pursuant to a sponsorship agreement between New Zealand Cricket and Asahi Beverages NZ	
Advantages	<ul style="list-style-type: none"> • The decision is consistent with the Saxton Field Reserve Management Plan. • The harm caused by the abuse of alcohol in the Community is recognised.
Risks and Disadvantages	<ul style="list-style-type: none"> • Games likely to be moved to another region. • Expensive cricket facilities are not fully used.

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

	<ul style="list-style-type: none">• Future games at Saxton Field may be jeopardised.• Significant potential financial return to the region foregone.
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7. Next Steps

- 7.1 Central Districts Cricket will be advised of the decision.
- 7.2 When the Saxton Field Management Plan is next reviewed, consideration could be given to making an exemption to allow alcohol advertising for international sporting events.

Attachments

Nil

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan Sponsorship Policy

Important considerations for decision making
Fit with Purpose of Local Government <p>This decision to enable the three events to occur at Saxton Field promotes the social, economic and cultural well-being of the region.</p> <p>The Councils should also consider the negative aspects of promoting alcohol in the community.</p>
Consistency with Community Outcomes and Council Policy <p>Adopting this recommendation from the Saxton Field Committee is inconsistent with the policy included in the Saxton Field Reserve Management Plan 2002.</p> <p>A decision in support of the recommendation would be in line with the provision in the LTPs to provide for international events on the cricket field at Saxton Field.</p>
Risk <p>Approving the sponsorship will enable the three international games to proceed. There is a small risk that other event holders may be encouraged to apply for exemptions contrary to the intent of the policy.</p> <p>There is a risk that such a decision would encourage the use of alcohol in the community.</p>
Financial impact <p>Approving this application does not result in additional costs to the Councils. Declining the application may result in the three events not proceeding and with the loss of a financial return to the region.</p>
Degree of significance and level of engagement <p>This matter is of medium significance because it is contrary to an existing policy. Therefore, feedback will occur in the form of briefing the Nelson Marlborough District Health Board on the reason for the exemption and advising that at this time the policy will not be amended.</p>
Climate Impact <p>This decision would have little or no climate change impact.</p>
Inclusion of Māori in the decision making process <p>No engagement with Māori has been undertaken in preparing this report.</p>

Item 10: New Zealand Cricket - Exemption to Saxton Field Management Plan
Sponsorship Policy

Legal context

Council's decision must be made in accordance with Section 80 of the Local Government Act 2002. In relation to this decision to grant an exemption to the Saxton Field Reserves Management Plan, this requires that the Councils clearly identify a decision that is significantly inconsistent with or is anticipated to have consequences that will be significantly inconsistent with, any existing Council policies or plans, the reasons why the decision is being made, and any intention to amend the relevant policies or plans to accommodate the decision

Delegations

Nelson City and Tasman District Councils have the power under Section 80 of the Local Government Act 2002 to make this decision.

In order to grant an exemption to the policy both Councils must agree.

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

Council



19 October 2023

Report Title: **Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation**

Report Author: **Susan Edwards - Principal Adviser - Annual and Long Term Planning**

Report Authoriser: **Nikki Harrison - Group Manager Corporate Services**

Report Number: **R27938**

1. Purpose of Report

- 1.1 To adopt the following draft policies for consultation at the same time as the Long Term Plan (LTP) 2024-2034 consultation process in March/April 2024:
- 1.1.1 Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263)
 - 1.1.2 Draft Rates Remission Policy (1852948764-265)
 - 1.1.3 Draft Rates Postponement Policy (1852948764-264).

2. Summary

- 2.1 Council is required to prepare and adopt a Policy on Remission and Postponement of Rates on Māori Freehold Land. Council may also prepare and adopt a Rates Remission Policy and a Rates Postponement Policy. Draft policies must be consulted on prior to Council adopting the final policies.
- 2.2 Staff are recommending some amendments to the existing policies, partly due to new legislative requirements. Draft policies, including proposed amendments, are contained in the attachments to this report for Council's consideration. Staff recommend that the consultation is undertaken in parallel with the LTP 2024-2034 consultation process.

3. Recommendation

That the Council

1. ***Receives the report Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation (R27938) and its attachments (1852948764-263, 1852948764-264, 1852948764-265,); and***
2. ***Approves the Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263) for public consultation in accordance with sections 102, 108, 82 and 82A of the Local Government Act 2002: and***
3. ***Approves the Draft Rates Remission Policy (1852948764-265) for public consultation in accordance with sections 102, 109, 82 and 82A of the Local Government Act 2002: and***
4. ***Approves the Draft Rates Postponement Policy (1852948764-264) for public consultation in accordance with sections 102, 110, 82 and 82A of the Local Government Act 2002: and***
5. ***Agrees that the consultation on the following draft policies will occur at the same time as the Long Term Plan 2024-2034 consultation process:***
 - i. ***Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263); and***
 - ii. ***Draft Rates Remission Policy (1852948764-265); and***
 - iii. ***Draft Rates Postponement Policy (1852948764-264); and***
6. ***Agrees that His Worship Mayor Hon Dr Smith and the Chief Executive be delegated authority to approve any minor amendments required to the following draft policies prior to them being made available for public consultation:***
 - i. ***Draft Policy on Remission and Postponement of Rates on Māori Freehold Land (1852948764-263); and***

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

ii. Draft Rates Remission Policy (1852948764-265); and

iii. Draft Rates Postponement Policy (1852948764-264).

4. Background

- 4.1 The Local Government Act 2002 (LGA 2002) requires that Council has a Policy on Remission and Postponement of Rates on Māori Freehold Land.
- 4.2 The LGA 2002 also states that Council may have a Rates Remission Policy and/or a Rates Postponement Policy. This Council has had both policies for several years.
- 4.3 The three policies must state the objectives sought to be achieved by the remission or postponement of rates and the conditions and criteria to be met in order for the rates to be remitted or postponed. As a result of recent amendments to the LGA2002, the policies are now also required to state how the policies support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993. The attached draft policies now meet this requirement.
- 4.4 The three policies must be reviewed at least every six years using a consultation process that gives effect to the Principles of Consultation in section 82 of the LGA 2002. The policies are typically reviewed prior to adoption of a LTP. This ensures the rating revenue assumptions in the LTP are consistent with the contents of the policies.
- 4.5 Council discussed the review of the policies at a workshop on 29 June 2023.

5. Discussion

Proposed amendments to the Policy on Remission and Postponement of Rates on Māori Freehold Land and the Rates Postponement Policy

- 5.1 Staff are recommending the following key amendments to the existing Policy on Remission and Postponement of Rates on Māori Freehold Land and the existing Rates Postponement Policy. The proposed key changes have been tracked in the versions of the policies attached to this report.
- 5.1.1 Amendment to the Introduction sections to meet the new legislative requirement to state how the policies support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993; and
- 5.1.2 Minor editorial amendments to the policies; and

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

5.1.3 In the Rates Postponement Policy –changes to the charges.

Proposed amendments to the Rates Remission Policy

5.2 Staff are recommending the following key amendments to the existing Rates Remission Policy.

5.2.1 Amendment to the Introduction section to meet the new legislative requirement to state how the policy supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993; and

5.2.2 Minor editorial amendments to the Policy; and

5.2.3 Adding wording to various sections of the Policy stating that “Decisions on applications for this remission will be made by Council officers in accordance with Council’s Delegations Register”; and

5.2.4 Adding wording to various sections of the Policy stating when applications for the remissions must be made by; and

5.2.5 Adding a definition for “Kaumātua housing” into the Rates remission for provision of social and Kaumātua housing section; and

5.2.6 Additional wording to the Rates remission for residential properties in commercial/industrial areas section, including restricting the remission to land subject to Council-initiated zone changes, adding several conditions and criteria and a section on Procedure; and

5.2.7 Removing wording in the Remission of charges for excess water arising from leaks section that is procedural in nature from the Conditions and criteria part and adding it to the Procedure part; and

5.2.8 Removing the Remission of rates for underground utilities, as this remission has not been used since created in 2002 and officers consider there would not be circumstances where it would need to be used; and

5.2.9 Adding an objective to the remission of rates on low valued properties section; and

5.2.10 Removing the Remission of Clean Heat Warm Homes targeted rate section, as this voluntary rate is no longer offered and therefore this section is no longer needed in the Policy; and

5.2.11 Removing the Other remissions deemed fair and equitable section of the Policy. Council has an extensive remission policy which is

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

likely to cover most circumstances and the remission has not been applied for since its inception. This type of remission would be costly to administer.

Consultation Process

5.3 When adopting or amending the three policies, Council must consult. Staff recommend that Council consults on the draft policies at the same time as the Long Term Plan 2024-2034 consultation process next year. The consultation process for the draft policies will be decided when the Long Term Plan consultation approach is adopted.

6. Options

6.1 There are three options available to Council. It could choose to use a mix of options 1 and 2 for the different policies, if required.

Option 1: Adopt the draft policies for consultation at the same time as the Long Term Plan 2024-2034 consultation process (recommended option)	
Advantages	<ul style="list-style-type: none"> • Provides Council with the opportunity to make minor amendments at the meeting. • Undertaking the consultation at the same time as the Long Term Plan process provides efficiencies for Council processes and for potential submitters. • Meets the requirements of the LGA 2002. • Provides the community with the opportunity to provide feedback to Council on the proposed amendments. • Allows Council to consider feedback and make changes at the same time as the Long Term Plan 2024-2034.
Risks and Disadvantages	<ul style="list-style-type: none"> • Council would not have an opportunity to make major amendments to the draft policies, if it considers they are needed prior to public consultation.
Option 2: Amend the draft policies prior to consultation	
Advantages	<ul style="list-style-type: none"> • If Council considers that the draft policies do not meet its needs or the needs of the community, Council can request staff to make further amendments before releasing them for public consultation.
Risks and Disadvantages	<ul style="list-style-type: none"> • Use of further staff time to undertake the amendments and report back to Council.

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

Option 3: Adopt the draft policies for consultation occurring in November/December 2023	
Advantages	<ul style="list-style-type: none"> • Provides Council with the opportunity to make minor amendments to the policies. • Meets the requirements of the LGA 2002. • Provides the community with the opportunity to provide feedback to Council on the proposed amendments. • Allows Council to consider feedback and make changes before adopting the final policies.
Disadvantages	<ul style="list-style-type: none"> • Undertaking the consultation separate from the Long Term Plan process is less efficient for Council processes and potentially for submitters who may wish to present to Council on both processes. It would be sensible to consult on all three draft rating policies together, therefore, Council would need to be comfortable with all three policies for this to happen. • Risks consultation fatigue by the public. • Council would not have an opportunity to make major amendments to the documents, if it considers they are needed prior to public consultation.

7. Conclusion

7.1 The three draft policies incorporate amendments to meet new legislative requirements in the LGA 2002 and to improve the existing policies. They provide a good basis for public consultation. Staff recommend that the draft policies are adopted and approved for public consultation.

8. Next Steps

8.1 If agreed by Council, the consultation on the three draft policies will take place at the same time as the Long Term Plan 2024-2034 consultation process. Staff will then prepare the final policies for adoption in late June 2024.

Attachments

Attachment 1: 1852948764-263 Draft Policy on Remission and Postponement of Rates on Māori Freehold Land [↓](#)

Attachment 2: 1852948764-265 Draft Rates Remission Policy [↓](#)

Attachment 3: 1852948764-264 Draft Rates Postponement Policy [↓](#)

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

Important considerations for decision making
Fit with Purpose of Local Government <p>Adopting the three draft policies for consultation enables public input into Council’s democratic decision-making processes. The policies are important to groups and members of the public as they enable remissions or postponement of rates under particular circumstances.</p>
Consistency with Community Outcomes and Council Policy <p>The three policies are required as inputs into the Long Term Plan 2024-2034 process and will need to be adopted by Council in June 2024, prior to the Long Term Plan being adopted. Consulting on the draft policies is consistent with the community outcome “Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement”.</p>
Risk <p>Adopting the draft policies is considered low risk, as Council will consider the views of the public before making its final decisions. The proposed process is in line with the requirements of the LGA 2002. There is a risk that some members of the public might object to the final decisions that Council makes or challenge the process. Ensuring a robust consultation process and explaining the reasons for decisions will help mitigate this risk</p>
Financial impact <p>There is limited financial impact from the decision to consult on the draft policies. The consultation costs will be covered from existing budgets. However, there are costs to Council in terms of rates revenue not collected through the implementation of the policies.</p>
Degree of significance and level of engagement <p>The decisions sought in this report have been assessed as having a low to moderate level of significance, and the community will have an opportunity to provide feedback before the final policies are adopted.</p>
Climate Impact <p>The decisions in this report will have no impact on the ability of Council to proactively respond to the impacts of climate change now or in the future.</p>
Inclusion of Māori in the decision making process <p>No engagement with Māori has been undertaken in preparing this report.</p>

Item 11: Draft Policy on Remission and Postponement of Rates on Māori Freehold Land, Draft Rates Remission Policy and Draft Rates Postponement Policy for consultation

Legal context

Council has power to make this decision under the Local Government Act 2002 (sections 102, 108, 109, 110, 82 and 82A). The legal process Council must follow to make this decision is to consider the draft policies and, if happy with them, consult the public on the drafts prior to adopting the final policies.

Council's decision must be made in accordance with Part 6 of the LGA 2002. In relation to this decision, that requires specific consideration of the Principles of Consultation outlined in section 82 of the LGA 2002. Council has discretion as to how it applies the Principles having regard to various matters outlined in section 82(4). The decision on how Council consults the public will be made at the time when the Council considers the Long Term Plan 2024-2034 process, as the two consultations are proposed to occur at the same time.

Delegations

The decisions contained in this report are within the Council's area of responsibility.

Report Title: Approval to prepare a Reserves General Policies Management Plan

Report Author: Jane Borren - Policy Adviser

Report Authorisers: Nicky McDonald - Group Manager Strategy and Communications
Andrew White – Group Manager Community Services

Report Number: R28027

Purpose of Report

- 1.1 To seek Council agreement:
- 1.1.1 to commence preparation of a Draft Reserves General Policies Management Plan (RGP) for all Council’s classified reserves which will also provide policy guidance for unclassified reserves and other Council land managed as parks and reserves; and
 - 1.1.2 to the process for preparing a RGP for all Nelson City Council’s reserves, including not undertaking early consultation on the intention to prepare a draft RGP; and
 - 1.1.3 to establish a hearings panel to hear and deliberate on the feedback received in submissions on the Draft RGP.

2. Recommendation

That the Council

- 1. Receives the report Approval to prepare a Reserves General Policies Management Plan (R28027) and its attachment (839498445-16867); and***
- 2. Agrees to the preparation of an overarching Reserves General Policies Management Plan for all classified reserves and to provide policy guidance for unclassified reserves and other Council land managed as parks and reserves; and***

3. ***Notes that separate Reserve Management Plans will subsequently be prepared for individual reserves, or groups of reserves, covering matters particular to them; and***
4. ***Notes the process to prepare a Reserves General Policies Management Plan as outlined in Attachment 1 (839498445-16867); and***
5. ***Agrees, under section 41(5A) of the Reserves Act 1977, to not seek written suggestions on the intention to prepare the Draft Reserves General Policies Management Plan, as Council considers feedback at this stage will not materially assist with the preparation of the document, for the following reasons:***
 - ***Early targeted engagement is currently occurring with Te Taiuhu iwi and key stakeholders and will continue during the preparation of the Draft Reserves General Policies; and***
 - ***Council has existing reserve management plans which have been through public consultation processes which can be drawn on to inform the development of the Draft Reserves General Policies document; and***
 - ***Council already has some understanding of the public's views on matters to be addressed in the Draft Reserves General Policies from various public engagement processes and surveys; and***
6. ***Establishes a Hearing Panel, to hear and deliberate on submissions on the Draft Reserves General Policies, comprising:***

EITHER

 - ***Full Council;***

OR

 - ***Councillor XXX, XXX and XXX.***

3. Background

- 3.1 The Reserves Act 1977 (the Act) requires Reserve Management Plans (RMPs) for all reserves that Council administers.
- 3.2 Council currently has the following reserve management plans:
 - Saxton Field Reserve Management Plan 2021

Item 12: Approval to prepare a Reserves General Policies Management Plan

- Rutherford and Trafalgar Parks Management Plan 2010
- Conservation and Landscape Reserves Management Plan 2009
- Esplanade and Foreshore Reserves Management Plan 2008
- Haven Holes Esplanade Reserve Management Plan 2006
- Tāhunanui Reserve Management Plan 2004

3.3 At a workshop on 17 March 2023, Council discussed undertaking a more consistent and streamlined approach to the preparation of RMPs. Staff recommended preparation of a RGP document, alongside undertaking a review of the Tāhunanui Reserve Management Plan (which will be subject to a separate Council report).

4. Discussion

Reserves General Policies Approach

- 4.1 An overarching RGP document provides a consistent approach to management of reserves. RMPs will still be needed for individual reserves or groups of reserves (e.g. sportsgrounds or neighbourhood reserves) covering matters particular to those reserves.
- 4.2 Currently, each RMP includes separately prepared policies for common issues, such as vehicle access, grazing and domestic animals, fencing, aircraft and drones, sponsorship and commercial signs, alcohol and smoking, and the scattering of ashes. Some plans cover all these issues, and others only a few. If Council wishes to revise its approach to any of these policies on a city-wide basis, each individual management plan would require review. (Bylaws cover some issues on a city-wide basis, such as dogs and freedom camping.)
- 4.3 Without a RGP, all future RMPs will require preparation of policies separately, and the policies would then apply only to the reserves in each individual plan. When a policy requires amendment with a RGP document in place, edits to only one document will be required.
- 4.4 The Act provides councils with flexibility on how they approach reserve management planning and does not preclude development of a general policies document, alongside preparing RMPs for individual reserves or groups of reserves. Such documents are relatively common across councils, as they provide an efficient approach for Council and the public to developing and reviewing policies that apply to all reserves or to specific reserve classifications. The process required is outlined in Attachment 1.
- 4.5 The Act states that prior to preparing a RMP, land needs to be declared reserve and appropriately classified (e.g. as recreation, historic, scenic or local purpose reserve). However, the Department of Conservation has taken the view that land not subject to the Act, but which is managed as

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parks or reserves, can be included in a RGP document, provided the land is distinguished from classified reserves.

- 4.6 Council has land managed and used as reserve that has:
- been declared reserve and classified under the Act
 - been declared reserve and not classified
 - not been declared reserve but is managed as a park or reserve.
- 4.7 The RGP will contain a schedule outlining what land is in each category.
- 4.8 Therefore, the RGP will apply to and be enforceable on all Council's public gardens, sports fields, parks, and reserves that have been formally declared reserve and classified as a specific type of reserve under the Reserves Act. For other land managed as a park or reserve, but not classified or declared reserve under the Act, it will be policy guidance for Council and the public.

Feedback for preparing Draft RGP

- 4.9 The Act provides for Council to give public notice of its intent to prepare a RMP (which includes a RGP) and seeking public feedback prior to preparing a draft plan for public consultation. However, Council may, by resolution, determine that written suggestions on the proposed plan would not materially assist in its preparation. Staff consider that written suggestions will not materially assist in the preparation of the Draft RGP for the following reasons:
- Early targeted engagement is currently occurring with Te Taihu iwi and key stakeholders, which will assist Council's understanding of their views and inform the preparation of the Draft RGP. Staff will be developing the draft policies in consultation with them
 - Council has existing RMPs which have been through public consultation processes which can be drawn on to inform the development of the Draft RGP document
 - Council already has some understanding of the public's views on matters to be addressed in the Draft RGP from various public engagement processes and surveys (e.g. comments received through Council's annual residents' survey, on Council bylaws, and on existing policies and strategies).
- 4.10 In addition, it can be difficult for members of the public to provide meaningful comment on policies at the early engagement phase when they do not have draft policies to comment on and when the scope of the RGP document has not yet been determined by Council. Public submissions and comments on the policies will be sought through the formal consultation process on the Draft RGP.

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Hearing Panel

- 4.11 Council will need to approve membership of a hearings panel with delegated functions, duties, and powers to hear and deliberate on submissions and recommend a final RGP document to Council for adoption. Submissions on the Draft RGP can be heard by all of Council, however there are efficiencies in delegating this to a smaller group.

5. Options

- 5.1 Council could approve or not approve the preparation of a RGP.

Option 1: Approve preparation of a RGP Management Plan, alongside RMPs for individual reserves or groups of reserves (Recommended option)	
Advantages	<ul style="list-style-type: none"> • Provides a consistent approach to reserve management, use and development. • Removes the need for general policies to be repeated in individual RMPs. • Provides a streamlined process and decision-making. • Reduces the time and cost associated with RMP preparation and reviews for Council, as well as for the public as submitters.
Risks and Disadvantages	<ul style="list-style-type: none"> • The process of creating a RGP and separate reserve management plans for specific reserves or types of reserves could be confusing for the public. This can be mitigated by clear communication and cross-referencing between the documents.
Option 2: Prepare separate RMPs for individual reserves or groups of reserves with all policies contained within them	
Advantages	<ul style="list-style-type: none"> • All the policies for one reserve are contained within one RMP.
Risks and Disadvantages	<ul style="list-style-type: none"> • It is less efficient for Council to prepare RMPs containing all the policies affecting the reserves and means that public input will repeatably be sought on all the policies which is inefficient for the community and can lead to consultation fatigue. • Likely to result in RMPs that are repetitive. • Policy inconsistencies can occur across the various RMPs, unless amendments are made across all the plans at the same time, which

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	has workload implications for Council and the community.
Option 3: Prepare an omnibus RMP covering all reserves	
Advantages	<ul style="list-style-type: none"> • Provides a consistent approach to management of reserves and removes the need for general policies to be repeated in individual RMPs. • Provides a streamlined process and decision-making. • Reduced time and cost associated with RMP reviews.
Disadvantages	<ul style="list-style-type: none"> • Risk of not adequately addressing the requirements of section 41(3) of the Act, to ensure that the omnibus RMP provides adequately for specific purposes relevant to individual reserves. • More initial work and higher upfront costs to classify reserves and prepare and adopt the omnibus RMP.

5.2 Council could decide not to call for written suggestions on the intention to prepare a RGP document or it could call for written suggestions.

Option 1: Decide not to call for written suggestions on the intention to prepare a RGP document (Recommended option)	
Advantages	<ul style="list-style-type: none"> • Targeted engagement is occurring and will continue to occur with Te Taiuhu iwi and key stakeholders, to assist Council's understanding of their views and inform the preparation of the Draft RGP. • Council already has some understanding of the public's views on matters to be addressed in the Draft RGP from existing RMPs and various public engagement processes and surveys. • Enables a quicker process, still allowing for full community engagement after the Draft RGP is prepared.
Risks and Disadvantages	<ul style="list-style-type: none"> • No opportunity for community members, besides iwi and key stakeholders, to have input into the preparation of the Draft RGP document.
Option 2: Decide to notify the intention to prepare a RGP document and call for written suggestions	

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Advantages	<ul style="list-style-type: none"> Provides the opportunity for the wider community to have input into the preparation of the Draft RGP document.
Risks and Disadvantages	<ul style="list-style-type: none"> Slows down the process for preparing the RGP. Members of the public would have difficulty making meaningful comment when they do not have a draft policies document to comment on. Risk of consultation fatigue.

- 5.3 Council could decide to hear and deliberate on the submissions as full Council or could establish a smaller hearing panel to undertake this work and then recommend a final RGP document to Council for approval.

Option 1: All of Council hears and deliberates on the submissions	
Advantages	<ul style="list-style-type: none"> All Council members have the opportunity to hear and deliberate on the submissions on the Draft RGP document.
Risks and Disadvantages	<ul style="list-style-type: none"> Time consuming for all elected members to be involved.
Option 2: Approve a part-Council hearings panel	
Advantages	<ul style="list-style-type: none"> Dedicated panel established which will reduce demand on Council. If necessary, additional expertise could be brought onto the panel. Full Council will still approve Draft RGP for consultation and the final RGP document.
Risks and Disadvantages	<ul style="list-style-type: none"> Not all Council members will have input to any amendments prior to the final document coming to full Council for approval.

6. Next Steps

- 6.1 Staff will continue engagement with iwi and key stakeholders to construct a Draft Reserves General Policies Management Plan document. This will be brought back to Council for approval and release for public consultation.

Attachments

- Attachment 1: 839498445-16867 Statutory Process for preparing a Reserves General Policies Management Plan [↓](#)

Important considerations for decision making

Fit with Purpose of Local Government

Preparing the RGP will enable public input into Council's decision making process through the Draft RGP consultation.

The process will enable Council to prepare policies for developing and using Council's reserves in a manner that promotes the social, economic, environmental, and cultural wellbeing of the community now and in the future, while being consistent with the Act.

Consistency with Community Outcomes and Council Policy

The RGP will enable the Council's reserves to be managed in a manner that contributes to the following community outcomes:

- Our unique natural environment is healthy and protected.
- Our urban and rural environments are people-friendly, well planned, and sustainably managed.
- Our infrastructure is efficient, cost effective and meets current and future needs.
- Our communities have opportunities to celebrate and explore their heritage, identity and creativity.

Our communities have access to a range of social, educational, and recreational facilities and activities.

Risk

There is a risk that some members of the community may not agree with the approach Council is taking and challenge whether it complies with the requirements of the Act. This can be somewhat mitigated by clear, early messaging to the community

Financial impact

The budget for the project is included in the Annual Plan.

Degree of significance and level of engagement

Staff have assessed the decisions sought in this report to be of relatively low significance, given they are largely about the process for preparing the RGP and the establishment of the hearing panel. Also, there is no impact on Council's levels of service or strategic assets, and the costs of the work are covered within existing budgets. The decision not to call for written suggestions on the intention to prepare a proposed RGP document is likely to be of some public interest. However, the public will have the

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opportunity to comment on the Draft RGP document where they will see and be able to influence what Council is proposing.

Formal public consultation will be undertaken on the Draft RGP under the Act.

Climate Impact

The decisions in this report have no direct climate impact. However, during the preparation of the Draft RGP, Council will give consideration to the inclusion of policies that adapt or provide enhanced benefits to the impacts of climate change on reserves (e.g. reserves plantings).

Inclusion of Māori in the decision making process

Targeted consultation has occurred with Te Taihū iwi and will continue during the preparation of the Draft RGP.

Legal context

Council has power to make this decision under the section 41 of the Reserves Act 1977. That section also outlines the legal process Council must follow to make this decision. This report asks Council to consider the suggested process for preparing the RGP. The process requires that Council consults on a Draft RGP, holds hearings for any submitters wanting to be heard, and deliberates on the submissions prior to adopting the final RGP.

Delegations

This is a matter for Council.

Report Title: Draft Flood Protection Activity Management Plan 2024 - 2034

Report Author: Toby Kay - Activity Engineer

Report Authoriser: Alec Louverdis - Group Manager Infrastructure

Report Number: R27924

1. Purpose of Report

- 1.1 To approve the Draft Flood Protection Activity Management Plan 2024-34 (AMP), as the version to inform the Long Term Plan 2024-2034 (LTP).

2. Recommendation

That the Council

1. ***Receives*** the report Draft Flood Protection Activity Management Plan 2024 - 2034 (R27924) and its attachment (205082210-168); and
2. ***Approves*** the Draft 2024-34 Flood Protection Activity Management Plan (205082210-168) as the version to inform the development of the Long Term Plan 2024-2034; and
3. ***Notes*** that the Draft 2024-34 Flood Protection Activity Management Plan (205082210-168) will be updated, and the final Activity Management Plan approved by Council after the adoption of the Long Term Plan 2024-2034.

3. Background

- 3.1 Draft AMPs are prepared every three years for the approval of the Council to inform the development of LTP's. These Draft AMP's will inform the development of the 2024-2034 LTP.
- 3.2 Following consultation on, and adoption of the LTP, the AMP will be updated to align with the adopted LTP. The final updated AMP will be brought back to Council early in year 2024/25 for adoption.

Item 13: Draft Flood Protection Activity Management Plan 2024 - 2034

- 3.3 The draft AMP takes account of previous Council resolutions and feedback at the workshop on key issues. Officers have also undertaken a high-level review of budgets across Council activities – however amendments may be required to this draft AMP once all the AMP’s have been received by Council and the cumulative effect of the AMP’s has been considered at the workshops in December 2023.

4. Discussion

- 4.1 The Draft AMP sets out the background to Council’s Flood Protection Activities and includes details of the following:

- Key issues and areas of focus for the activity during 2024-34.
- Levels of Service
- The activity budget for operations & maintenance and capital expenditure (including renewals, growth and level of service upgrade projects).

- 4.2 A workshop was held with Council on 28 April 2023 to confirm priorities for 2024-2034 and seek direction from Council on any changes or additional priorities.

- 4.3 The following items are the key outcomes from this workshop:

- Separation of the Stormwater and Flood Protection activity: Councillors expressed support in principle for separating the activity, including providing for separate rating arrangements.
- Extension of the Flood Protection activity to rural catchments: Councillors expressed support in principle for extending the Flood Protection activity to rural catchments, subject to consultation through the LTP.

5. Options

- 5.1 The Council has two options – to either approve the Draft AMP, or to not approve the Draft AMP.

Option 1: Approve the Draft 2024-34 Flood Protection AMP (Recommended).	
Advantages	<ul style="list-style-type: none">• Meets the requirements of the Local Government Act 2002• Reflects the input of elected members during the April 2023 workshop.
Risks and Disadvantages	<ul style="list-style-type: none">• Nil

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Option 2: Do not approve the Draft 2024-34 Flood Protection AMP	
Advantages	<ul style="list-style-type: none">• Nil
Risks and Disadvantages	<ul style="list-style-type: none">• Fail to meet the requirements of the Local Government Act 2002

6. Conclusion

- 6.1 The Draft AMP has been prepared to inform the LTP and will support Council in meeting its obligations under Section 93 and Schedule 10 of the Local Government Act 2002.

Author: Toby Kay, Stormwater & Flood Protection Activity Engineer

Authoriser: Alec Louverdis, Group Manager Infrastructure

Attachments

- Attachment 1: 205082210-168 - Draft 2024-34 Flood Protection Activity Management Plan (*Circulated separately*) [⇒](#)

<p>Important considerations for decision making</p>
<p>Fit with Purpose of Local Government</p> <p>The Draft AMP supports the social, economic and environmental wellbeing of the Nelson community by putting in place the planning for good quality local infrastructure that is efficient, effective, and appropriate to present and anticipated future circumstances as defined under the Local Government Act 2002.</p>
<p>Consistency with Community Outcomes and Council Policy</p> <p>The Flood Protection Activity supports the following Community Outcomes:</p> <ul style="list-style-type: none"> • Our unique natural environment is healthy and protected. • Our urban and rural environments are people friendly, well planned and sustainably managed. • Our infrastructure is efficient, cost effective and meets current and future needs. • Our communities are healthy, safe, inclusive and resilient. • Our region is supported by an innovative and sustainable economy.
<p>Risk</p> <p>Not adopting the Draft AMP will leave Council without a document to support the goal of developing and adopting the LTP.</p>
<p>Financial impact</p> <p>There are no direct funding implications from the recommendation. The AMP guides the funding in the proposed LTP and will be subject to a consultation process with the community.</p>
<p>Degree of significance and level of engagement</p> <p>This matter is of high significance because the adoption of a LTP is a statutory requirement under the Local Government Act 2002. Therefore consultation with the community will occur with the public advertising of the draft LTP and calling for submissions.</p>
<p>Climate Impact</p> <p>The Draft AMP considers the potential impacts and risks that climate change presents to the city, particularly in relation to future flood risk and sea level rise. This has been incorporated into the Draft AMP through identifying climate change as a key issue with a focus on developing various strategies and plans to inform mitigation and adaptation options for the future. As the AMP supports the proposed LTP this emphasis will</p>

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transfer into that document and be subject to public scrutiny and submissions.

Inclusion of Māori in the decision making process

Iwi feedback has been sought on the draft AMP and any matters that require additional consideration will be covered at the December LTP workshop.

Delegations

The Council has the following delegation to consider and adopt Draft Activity Management Plans:

Council retains all responsibilities, powers, functions and duties in relation to governance matters unless delegated to a committee, subcommittee or subordinate decision-making body.

Report Title:	Draft Solid Waste Activity Management Plan 2024 - 2034
Report Author:	Terry Dwyer, Activity and Operations Supervisor - Solid Waste
Report Authoriser:	Alec Louverdis - Group Manager Infrastructure
Report Number:	R27883

1. Purpose of Report

To approve the Draft Solid Waste Activity Management Plan 2024-34 (AMP), as the version to inform the Long Term Plan 2024-34 (LTP).

2. Recommendation

That the Council

- 1. Receives the report Draft Solid Waste Activity Management Plan 2024-2034 (R27883) and its attachment (1399367370-8729); and***
- 2. Approves the Draft Solid Waste Activity Management Plan 2024-2034 (1399367370-8729) as the version to inform the development of the Long Term Plan 2024-34; and***
- 3. Notes that the Draft Solid Waste Activity Management Plan 2024-2034 (1399367370-8729) will be updated and the final Activity Management Plan approved by Council after the adoption of the Long Term Plan 2024-34.***

3. Background

- 3.1 Draft AMP's are prepared every three years for the approval of the Council to inform the development of the LTP. This draft AMP will inform the development of the 2024-34 LTP.
- 3.2 Following consultation on, and adoption of the LTP, the AMP will be updated to align with the adopted LTP. The final updated AMP will be brought back to Council early in 2024/25 for adoption.

Item 14: Draft Solid Waste Activity Management Plan 2024-2034

- 3.3 The draft AMP take account of previous Council resolutions and feedback at workshops on key issues. Officers have also undertaken a high-level review of budgets across Council activities - however amendments may be required to the draft AMP once all AMP's have been received by Council and the cumulative effect of the AMP's has been considered at the workshops in December 2023. The final AMP's will be brought to Council for approval after they have been updated to include decisions made during the LTP process.

4. Discussion

- 4.1 This draft AMP set out the background to Council's Solid Waste activities and include details of the following:
- 4.1.1 Key issues and areas of focus for the activity during 2024-34.
 - 4.1.2 Levels of Service.
 - 4.1.3 The activity budgets for operations & maintenance and capital expenditure (including renewals, growth and level of service upgrade projects).
- 4.2 A workshop was held with Council on 16 June 2023 to confirm priorities for 2024-34 and seek direction from Council on any changes or additional priorities.
- 4.3 The following items are the key outcomes from the workshop:
- 4.3.1 Kitchenwaste – support earliest possible start following business case.
 - 4.3.2 Material Recovery Facility – support ensuring access for recycling through contract, co-governance, or partial ownership with Tasman District Council.
 - 4.3.3 Cardboard (fibre) – explore options for alternative processing.
 - 4.3.4 Hazardous materials – prioritise safe disposal and minimise any environmental impact.
 - 4.3.5 Waste levy - ensure protection of this revenue info.

5. Options

- 5.1 The Council has two options - to either approve the draft AMP, or to not approve the draft AMP.

Option 1: Approve the Draft Solid Waste AMP 2024-2034. Recommended option.	
Advantages	<ul style="list-style-type: none">• Meet the requirements of the Local Government Act 2002.

Item 14: Draft Solid Waste Activity Management Plan 2024-2034

	<ul style="list-style-type: none">• Reflects the input of elected members during the June 2023 workshop.
Risks and Disadvantages	<ul style="list-style-type: none">• Nil
Option 2: Do not approve the Draft Solid Waste AMP 2024-2034	
Advantages	<ul style="list-style-type: none">• Nil
Risks and Disadvantages	<ul style="list-style-type: none">• Fail to meet requirements of Local Government Act 2002

6. Conclusion

The draft AMP has been prepared to inform the LTP and will support Council in meeting its obligations under Section 93 and Schedule 10 of the Local Government Act 2002.

Attachments

Attachment 1: 1399367370-8729 - Draft Solid Waste Activity Management Plan 24-34 (*Circulated separately*) [⇒](#)

Important considerations for decision making

Fit with Purpose of Local Government

The draft AMP support the social, economic and environmental wellbeing of the Nelson community by putting in place the planning for good quality local infrastructure that is efficient, effective, and appropriate to present and anticipated future circumstances as defined under the Local Government Act 2002.

Consistency with Community Outcomes and Council Policy

The Solid Waste activities support the following Community Outcomes:

- Our unique natural environment is healthy and protected.
- Our urban and rural environments are people friendly, well planned and sustainably managed.
- Our infrastructure is efficient, cost effective and meets current and future needs.
- Our communities are healthy, safe, inclusive and resilient.
- Our region is supported by an innovative and sustainable economy.

Risk

Not adopting the draft AMP will leave Council without a document to support the goal of developing and adopting the LTP.

Financial impact

There are no direct funding implications from the recommendation. The AMP guides the funding in the proposed LTP and will be subject to a consultation process with the community.

Degree of significance and level of engagement

This matter is of high significance because the adoption of a LTP is a statutory requirement under the Local Government Act 2002. Therefore consultation with the community will occur with the public advertising of the draft LTP and calling for submissions.

Climate Impact

The draft AMP considers the potential impacts and risks that climate change presents to the city, particularly in relation to the solid waste. This has been incorporated into the draft AMP through identifying climate change as a key issue with a focus on developing various strategies to inform mitigation and adaptation options for the future. As the AMP supports the proposed LTP this emphasis will transfer into that document and be subject to public scrutiny and submissions

Inclusion of Māori in the decision making process

Iwi feedback has been sought on the draft AMP and any matters that require additional consideration will be covered at the December LTP workshop.

Delegations

The Council has the following delegation to consider and adopt draft AMP:

Council retains all responsibilities, powers, functions and duties in relation to governance matters unless delegated to a committee, subcommittee or subordinate decision-making body.

Report Title:	Draft Environmental Management Activity Management Plan 2024 - 2034
Report Author:	Michelle Joubert, Strategic Adviser
Report Authoriser:	Mandy Bishop, Group Manager Environmental Management
Report Number:	R27866

1. Purpose of Report

To approve the Draft Environmental Management Activity Management Plan 2024 – 2034 (AMP), as the version to inform the Long Term Plan 2024-2034 (LTP).

2. Recommendation

That the Council

- 1. Receives the report Draft Environmental Management Activity Management Plan 2024 - 2034 (R27866) and its attachment (887727126-1808); and***
- 2. Approves the Draft Environmental Management Activity Plan 2024 – 2034 (887727126-1808) as the version to inform the development of the Long Term Plan 2024 - 2034; and***
- 3. Notes that the Draft Environmental Management Activity Plan 2024 – 2034 (887727126-1808) will be updated and the final the Environmental Management Activity Plan 2024 – 2034 approved by Council after the adoption of the Long Term Plan 2024 – 2034.***

3. Background

- 3.1 The Environmental Management Activity comprises the following sub-activities: Environmental Planning, City Development and Housing, Resource Consents, Compliance and Enforcement, Navigation Safety, Building Control, and Science and Environment.

Item 15: Draft Environmental Management Activity Management Plan 2024 - 2034

- 3.2 The draft AMP is prepared every three years for the approval of Council to inform the development of LTP.
- 3.3 Following consultation on, and adoption of the LTP, the AMP will be updated to align with the adopted LTP. The final updated AMP will be brought back to Council in 2024/25 for adoption.
- 3.4 The draft AMP incorporates previous Council resolutions and feedback at the workshop. Officers have also undertaken a high-level review of budgets across Council activities. However, amendments may be required to the draft AMP once all AMPs have been received by Council and the cumulative effect of the AMPs has been considered at the LTP workshops in November 2023 and during the LTP process.

4. Discussion

- 4.1 The draft AMP sets out the background to Council's Environmental Management Activity and includes details about the following:
 - 4.1.1 Key issues and areas of focus for the activity during 2024-34.
 - 4.1.2 Levels of Service.
 - 4.1.3 Activity budgets.
- 4.2 A workshop was held on 14 April 2023 to seek direction on the AMP including levels of service and funding.
- 4.3 The following items are the key points from the workshop:
 - 4.3.1 Levels of services should reflect matters that are within Council's control, be set at a level that challenges (but remains achievable) and be balanced against availability of staff resources.
 - 4.3.2 In relation to user charges, the costs should be borne by the party that benefits from the service.

The draft AMP has been prepared to reflect the feedback received during the Council workshop and to inform the LTP. The draft AMP will support Council in meeting its obligations under Section 93 (requirements relating to Long Term Plans) and Schedule 10 (information to be included in Long Term Plans) of the Local Government Act 2002.

5. Options

- 5.1 Council can decide to approve the draft AMP or decide not to approve it.

Option 1: Approve the draft Environmental Management AMP 2024 – 2034 (preferred option)

Item 15: Draft Environmental Management Activity Management Plan 2024 - 2034

Advantages	<ul style="list-style-type: none"> • Meet the requirements of the Local Government Act 2002.
Risks and Disadvantages	<ul style="list-style-type: none"> • Nil
Option 2: Do not approve the draft Environmental Management AMP 2024 - 2034	
Advantages	<ul style="list-style-type: none"> • Nil
Risks and Disadvantages	<ul style="list-style-type: none"> • Fail to meet the requirements of the Local Government Act 2002.

6. Next Steps

- 6.1 The draft AMP will be updated, and the final AMP approved by Council after the adoption of the Long Term Plan 2024-2034.

Attachments

- Attachment 1: 887727126-1808 Draft Environmental Management AMP 2024 - 2034 - 11 October 2023 (*Circulated separately*) [⇒](#)

Important considerations for decision making

Fit with Purpose of Local Government

The draft AMP supports the social, economic, environmental, and cultural wellbeing of the Nelson community by helping to ensure that the Environmental Management Activity is efficient, effective, and appropriate to present and anticipated future circumstances.

Consistency with Community Outcomes and Council Policy

The Environmental Management Activity contributes to the following community outcomes:

- Our unique natural environment is healthy and protected
- Our urban and rural environments are people-friendly, well planned and sustainably managed
- Our infrastructure is efficient, cost effective and meets current and future needs
- Our communities are healthy, safe, inclusive and resilient
- Our communities have opportunities to celebrate and explore their heritage, identity, and creativity.
- Our communities have access to a range of social, educational and recreational facilities and activities
- Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.
- Our region is supported by an innovative and sustainable economy.

Risk

Not adopting the draft AMP would leave Council without a document to support the development of the LTP.

Financial impact

There are no direct funding implications from the recommendation. The draft AMP informs the funding proposals for the LTP.

Degree of significance and level of engagement

Adoption of the draft AMP is of low significance. However, the draft AMP informs the LTP, which is of high significance. Consultation using the special consultative procedure will be undertaken on the LTP.

Climate Impact

The draft AMP considers the potential impacts and risks that climate change presents to the City. This has been incorporated into the draft AMP by identifying the effect of climate change as a key issue and highlighting Council's commitment to considering and reducing climate change impacts by developing various strategies to inform mitigation and adaptation options for the future.

Inclusion of Māori in the decision making process

Feedback on the draft AMP was received from iwi and changes have been made where practicable.

Delegations

Council has the power to consider and adopt Draft Activity Management Plans:

Council retains all responsibilities, powers, functions and duties in relation to governance matters unless delegated to a committee, subcommittee or subordinate decision-making body.

Report Title: Schedule of Meetings 2024
Report Author: Robyn Byrne - Team Leader Governance
Report Authoriser: Nicky McDonald - Group Manager Strategy and Communications
Report Number: R27986

1. Purpose of Report

To adopt the Schedule of Meetings for 2024, in accordance with Clause 19, Schedule 7 of the Local Government Act 2002.

2. Recommendation

That the Council

1. ***Receives the report Schedule of Meetings 2024 (R27986) and its attachment (1982984479-6639); and***
2. ***Adopts the schedule of meetings for the 2024 calendar year as set out in Attachment 1 (1982984479-6639).***

3. Background

- 3.1 Clause 19, Schedule 7 of the Local Government Act 2002 sets out requirements for written notification of meetings to elected members.
- 3.2 It is standard practice for Council to meet these legislative requirements through the adoption of a Schedule of Meetings by resolution.
- 3.3 Adoption of the Schedule provides certainty to elected members and allows planning of other activities around Council business; it assists the efficiency of officers in the preparation and timing of reports to Council and committees, the management of work programmes and informs members of the public when meetings will be taking place.

4. Discussion

- 4.1 The proposed schedule is based on meetings, taskforces and workshops continuing to be held on Thursdays and Fridays with the following exceptions:

Item 16: Schedule of Meetings 2024

- 4.1.1 Audit, Risk and Finance Committee and Chief Executive Employment Committees will be held on Wednesday where possible, to free up space for other meetings, workshops and taskforces;
- 4.1.2 Every endeavour has been made to schedule joint meetings with Tasman District Council (TDC) (currently provisional in the schedule) on Council's preferred meeting dates, however some meetings are scheduled for Tuesdays to align with TDC's meeting schedules.
- 4.2 When compiling the schedule for 2024 other parameters considered were:
 - 4.2.1 Ordinary Council meetings are held on the first Thursday of each month
 - 4.2.2 The second week of school holidays continue to be meeting free to enable families to plan breaks.
 - 4.2.3 Additional workshops and meetings to support the adoption of the Long Term Plan 2024-2034 are required
- 4.3 As much information has been incorporated into the proposed schedule as is known at this time, including information on other commitments that elected members may hold as part of their responsibilities (such as liaison roles).
- 4.4 There will be occasions where, in order to accommodate Council business, the Schedule needs to be amended and/or additional meetings included. Elected members will be given advance notice of any changes that are necessary.

5. Options

- 5.1 Council can choose to adopt the proposed Schedule for 2024, amend the proposed Schedule, or not adopt the proposed Schedule.
- 5.2 Significant planning has been undertaken in developing the proposed Schedule and the recommended option is that it be adopted.

6. Next Steps

- 6.1 Once confirmed, members calendars will be updated to reflect the adopted meeting schedule.

Attachments

Attachment 1: 1982984479-6639 - Draft 2024 Meeting Schedule [↓](#)

<p>Important considerations for decision making</p>
<p>Fit with Purpose of Local Government</p> <p>Adopting a schedule of meetings is in accordance with Schedule 7 of the Local Government Act 2002 and assists Council in enabling democratic decision-making as efficiently and effectively as possible.</p>
<p>Consistency with Community Outcomes and Council Policy</p> <p>Adopting a schedule of meetings supports the community outcome “Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement”.</p>
<p>Risk</p> <p>There is a minor risk associated with adopting an annual schedule as not all information is known at this time and therefore, some changes will still be needed in the future.</p>
<p>Financial impact</p> <p>There are no direct budgetary consequences related to the decision to adopt the Schedule of meetings 2023.</p>
<p>Degree of significance and level of engagement</p> <p>This matter is of low significance as it is a procedural matter and no engagement with the public is required.</p>
<p>Climate Impact</p> <p>This decision will have no impact on the ability of the Council to proactively respond to the impacts of climate change now or in the future.</p>
<p>Inclusion of Māori in the decision making process</p> <p>No engagement with Māori has been undertaken in preparing this report.</p>
<p>Legal context</p> <p>Council has the power to make this decision under Clause 19, Schedule 7 of the Local Government Act 2002.</p>
<p>Delegations</p> <p>This is a matter for Council.</p>

