



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 1 February 2024, commencing at 9.01a.m.

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

Apologies : Nil

Karakia and Mihi Timatanga

1. Apologies

No apologies were received.

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 14 December 2023

Document number M20414, agenda pages 11 - 39 refer.

Resolved CL/2024/001

That the Council

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

Courtney/Rainey

Carried

6. Confirmation of Minutes - 7 December 2023

Document number R28296, agenda pages 40 - 48 refer.

Resolved CL/2024/002

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 7 December 2023, as a true and correct record.***

Hodgson/Rollo

Carried

7. The Suter Art Gallery Te Aratoi o Whakatū Trust Strategic Presentation

Document number R28239

Chair of the Suter Art Gallery Te Aratoi o Whakatū Trust, Steve Green, Director, Julie Catchpole, and Manager Commerce and Enterprise, Ruth Roebuck presented a PowerPoint presentation (1982984479-7131) and answered questions about using green energy, development of a market strategy and collaboration with local artists.

Attachments

- 1 1982984479-7131 - The Suter Art Gallery Te Aratoi o Whakatū Trust Strategic Presentation

8. Brook Waimarama Sanctuary Trust Annual Report

Document number R28171, agenda pages 49 - 98 refer.

The Chair of Brook Waimarama Sanctuary Trust, Ru Collins presented a PowerPoint presentation (982984479-7130) and answered questions about securing bio-diversity credits and patronage of the e-bus service by visitors of the sanctuary.

Resolved CL/2024/003

That the Council

- 1. Receives the report Brook Waimarama Sanctuary Trust Annual Report (R28171) and its attachment (2134162460-1151).***

His Worship the Mayor/Sanson

Carried

Attachments

- 1 1982984479-7130 - Brook Waimārama Sanctuary Presentation

9. Nelson Events Strategy implementation update

Document number R28240, agenda pages 99 - 109 refer.

Group Manager Strategy and Communications, Nicky McDonald and Policy Adviser, Ailish Neyland took the report as read and answered questions on Council facilitation of community events and the role of Nelson Regional Development Agency.

Resolved CL/2024/004

That the Council

- 1. Receives the report Nelson Events Strategy implementation update (R28240) and its attachment (839498445-17987); and***
- 2. Approves increasing the delegation levels for the Nelson Events Fund as outlined below:***
 - a. The Events Development Committee may approve funding up to \$45,000; and***
 - b. The Chief Executive may approve funding between \$45,001 and \$99,999; and***
 - c. Council may approve funding of \$100,000 or above.***

Sanson/Rollo

Carried

10. Nelson Tasman Business Trust Annual Report 2022/23

Document number R28241, agenda pages 110 - 128 refer.

Group Manager Strategy and Communications, Nicky McDonald and Policy Adviser, Ailish Neyland took the report as read and answered questions on annual funding by Nelson City Council and Tasman District

Council and the breakdown of businesses supported by Nelson Tasman Business Trust in Nelson and Tasman District.

Resolved CL/2024/005

That the Council

- 1. Receives the report Nelson Tasman Business Trust Annual Report 2022/23 (R28241) and its attachments (839498445-17977 and 839498445-17976).***

Sanson/Brand

Carried

11. Mayor's Report

Document number R28311, agenda pages 129 - 132 refer.

His Worship the Mayor Hon Dr Smith took the report as read and answered questions on engagement with central government about remediation of contaminated soil at Tāhunanui Beach and policy options for Nelson Marlborough Institute of Technology.

Resolved CL/2024/006

That the Council

- 1. Receives the report Mayor's Report (R28311).***

Courtney/Brand

Carried

The meeting was adjourned from 10.07a.m. until 10.18a.m.

12. Approval of Draft Financial Strategy as supporting information for Long Term Plan 2024-2034 consultation

Document number R28265, agenda pages 133 - 157 refer.

Group Manager Corporate Services, Nikki Harrison took the report as read. Ms Harrison and Group Manager Strategy and Communications, Nicky McDonald answered questions on the distinction, implications and equity of using rateable units or occupiable units as the basis for setting the storm recovery rate in the Long Term Plan, how equitable the implementation of the proposed \$330 including GST per rating unit for the recovery targeted rate would be on various categories of residential property and the appropriate time to change supporting information for consultation on the Long Term Plan 2024-2034.

Resolved CL/2024/007

That the Council

1. ***Receives the report Approval of Draft Financial Strategy as supporting information for Long Term Plan 2024-2034 consultation (R28265) and its attachment (1852948764-480); and***
2. ***Approves the Draft Financial Strategy (1852948764-480) as supporting information for the Long Term Plan 2024-2034 consultation process in accordance with sections 93G and 101A of the Local Government Act 2002; and***
3. ***Agrees that His Worship Mayor Hon Dr Smith and the Chief Executive be delegated authority to approve any minor amendments required to the Financial Strategy prior to it being made available as supporting information during the Long Term Plan consultation process, including any amendments necessary to address audit requirements or any legislative changes prior to the consultation occurring.***

Skinner/Hodgson

Carried

13. Draft Revenue and Financing Policy for Consultation

Document number R28112, agenda pages 158 - 196 refer.

Group Manager Corporate Services, Nikki Harrison, took the report as read and answered questions on inclusion of properties undertaking biodiversity enhancements as forestry property rating and voluntary residential property targeted rates for installation of solar panels.

Resolved CL/2024/008

That the Council

1. ***Receives the report Draft Revenue and Financing Policy for Consultation (R28112) and its attachment (1852948764-352); and***
2. ***Approves the Draft Revenue and Financing Policy (1852948764-352) for public consultation in accordance with sections 102, 103, 82 and 82A of the Local Government Act 2002; and***
3. ***Agrees that the consultation on the Draft Revenue and Financing Policy will occur at the same time as the Long Term Plan 2024-2034 consultation process; and***
4. ***Agrees that His Worship Mayor Hon Dr Smith and the Chief Executive be delegated authority to approve any minor amendments required to the Draft Revenue and***

Financing Policy prior to it being made available for public consultation, including any amendments necessary to address audit requirements or any legislative changes prior to the consultation occurring.

Courtney/Sanson

Carried

14. Proposed changes to Council's fees and charges for 2024/25

Document number R28216, agenda pages 197 - 279 refer.

Group Manager Environmental Management, Mandy Bishop, Strategic Adviser, Michelle Joubert and Strategic Adviser Community Services, Martin Croft took the report as read and answered questions on proposed increased dog registration fees, library fees and boat ramp fees. Ms. Bishop answered questions on partial cost recovery of resource consent fees. Group Manager Infrastructure, Alec Louverdis answered questions on the proposed increase in the charges at the regional York Valley landfill and in relation to the proposed Solid Waste charges at the Nelson Waste Recovery Centre.

Resolved CL/2024/009

That the Council

- 1. Receives the report Proposed changes to Council's fees and charges for 2024/25 (R28216) and its attachments (1598046314-141), (1598046314-132) and (1598046314-140); and***
- 2. Adopts the proposed Schedule of Fees and Charges in Attachment 1 (1598046314-141) noting that those fees do not require consultation; and***
- 3. Approves subject to the Long Term plan consultation process on the Regional Landfill fees, an increase of 17.7% (rounded for cash handling) to Solid Waste charges at the Nelson Waste Recovery Centre (as set out in Attachment 1(1598046314-141)) effective 1 July 2024; and***
- 4. Adopts the Statement of Proposal for the proposed Schedule of Fees and Charges in Attachment 2 (1598046314-132) for those fees and charges that must be consulted on using the Special Consultative Procedure under section 83 of the Local Government Act 2002; and***
- 5. Notes that all proposed fee changes in this report that are not approved by Council, will be consulted on using***

the same process (even where the Special Consultative Procedure is not required); and

6. Agrees a summary of information in the Statement of Proposal is not necessary to enable public understanding of the proposal; and

7. Approves the consultation approach (set out in section 5.10 of this report) and agrees:

a) the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and

b) the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Cr Smith (Chairperson)	Cr Skinner	
Cr Anderson		
Cr Benge		
Cr Brand		
Cr Courtney		
Cr Hodgson		
Cr O'Neill-Stevens		
Cr Paki Paki		
Cr Rainey		
Cr Rollo		
Cr Sanson		
Cr Stallard		

The motion was carried 12 - 1.

Sanson/Paki Paki

Carried

15. Dedication of Council land to Legal Road - Wastney Terrace

Document number R28242, agenda pages 280 - 286 refer.

Group Manager Infrastructure, Alec Louverdis took the report as read and answered questions on tracking Council.

Resolved CL/2024/010

That the Council

1. ***Receives the report Dedication of Council land to Legal Road - Wastney Terrace (R28242) and its attachments (1862260321-63192 , 1862260321-63193); and***
2. ***Agrees to dedicate the portion of Road Reserve shown in Attachment 2 (1862260321-63193) of Report R28242 (Lot 9 DP15070 Wastney Terrace, Nelson) as legal road pursuant to Section 111 of the Reserves Act 1977.***

His Worship the Mayor/Paki Paki

Carried

16. Exclusion of the Public

Fiona Wilson of Nelson Regional Development Agency was in attendance for Item 4 Statement of Expectations 2024-2027 - Nelson Regional Development Agency of the Confidential agenda to answer questions and, accordingly, the following resolution is required to be passed:

Resolved CL/2024/011

That the Council

1. ***Confirms in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, Fiona Wilson of Nelson Regional Development Agency, remain after the public has been excluded, for Item 4 Statement of Expectations 2024-2027 - Nelson Regional Development Agency of the Confidential agenda, as she has knowledge relating to the Nelson Regional Development Agency that will assist the meeting.***

His Worship the Mayor/Skinner

Carried

Resolved CL/2024/012

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)
1	Council Meeting - Confidential Minutes - 14 December 2023	<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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) • Section 48(1)(d) That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies. <p>Section 48(2)</p> <p>Paragraph (d) of subsection (1) applies to -</p> <p>(a) Any proceedings before a local authority where -</p> <p>(i) A right of appeal lies to any Court or tribunal against the final</p>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<p>decision of the local authority in those proceedings; or</p> <p>(ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and</p> <p>c) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.</p> <ul style="list-style-type: none"> • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
2	Confirmation of Minutes - 7 December 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)(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)
3	Visitor Information Services - proposed current	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)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	and future approach	of information for which good reason exists under section 7	To protect the privacy of natural persons, including that of a deceased person <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)
4	Statement of Expectations 2024-2027 - Nelson Regional Development Agency	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)
5	Statement of Expectations 2024/25 - The Suter Art Gallery Te Aratoi o Whakatū Trust	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) • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage
6	Statement of Expectations 2024/25 - Nelmac Limited	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason	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,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		exists under section 7	negotiations (including commercial and industrial negotiations)
7	Statement of Expectations 2024/25 - Nelson Marina	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)
8	Nelson Regional Sewerage Business Unit Iwi Representative Appointment	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

The meeting went into confidential session at 12.05p.m. and resumed in public session at 3.05p.m.

Karakia Whakamutanga

17. Restatements

It was resolved while the public was excluded:

2 Visitor Information Services - proposed current and future approach

4. *Agrees that the report (R28099) and decision remain confidential at this time.*

3 Statement of Expectations 2024-2027 - Nelson Regional Development Agency

3. *Agrees that Report (R28096), Attachment (839498445-17571) and the decision be made publicly available once the completed Nelson Regional Development Agency Statement of Expectations is published on the Nelson City Council website approximately 30 days after it is received by the Nelson Regional Development Agency Board.*

4 Statement of Expectations 2024/25 - The Suter Art Gallery Te Aratoi o Whakatū Trust

4. *Agrees that Report (R28032) and the decision be made publicly available once the completed Statement of Expectations has been published on the Nelson City Council website, approximately 30 days after it is received by the Suter Art Gallery Te Aratoi o Whakatū Trust.*

5 Statement of Expectations 2024/25 - Nelmac Limited

5. *Agrees that Report (R28118) and the decision be made publicly available once the completed Statement of Expectations is published on the Nelson City Council website, approximately 30 days after it is received by the Nelmac Board.*

6 Statement of Expectations 2024/25 - Nelson Marina

4. *Agrees that Report (R28106) and the decision be made publicly available once the completed Statement of Expectations is published on the Nelson City Council website, approximately 30 days after it is received by the Nelson Marina Board.*

7 Nelson Regional Sewerage Business Unit Iwi Representative Appointment

4. *Agrees that the report and decision only be made public once the candidate has been advised of both councils' decisions; and*
5. *Agrees the attachment (1833911234-755) remains confidential.*

There being no further business the meeting ended at 3.05p.m.

Confirmed as a correct record of proceedings by resolution on 7 March 2024

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 1 February 2024, as a true and correct record.***