



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson on Thursday 24 June 2021, commencing at 9.08a.m.

Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)

Apologies : Nil

Karakia and Mihi Timatanga

Attendance: Councillor Brand entered the meeting at 9.09am.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor Reese explained the order of business would change as the Audit opinion had not yet been received and that the meeting would be adjourned and reconvened on Tuesday 29 June to adopt the Long Term Plan 2021 – 31 (LTP).

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 11 May 2021

Document number M17623, agenda pages 15 - 36 refer.

Resolved CL/2021/100

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 11 May 2021, as a true and correct record.***

Her Worship the Mayor/Edgar

Carried

5.2 18 May 2021

Document number M17643, agenda pages 37 - 92 refer.

Resolved CL/2021/101

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 18 May 2021, as a true and correct record.***

Skinner/Courtney

Carried

6. Mayor's Report

Document number R25966

Her Worship the Mayor noted that her Mayor's Report would be provided in closing of the adoption of the LTP.

John Mackey, Audit Director, Audit New Zealand, joined the meeting via Zoom to explain that the Office of the Auditor General was unable to issue the Audit opinion for today's meeting. He advised that Audit proposed an unmodified opinion on the LTP, in that it was considered a reasonable basis for long term decision making but that it would have one modification that applied to all territorial authorities. He noted the key LTP issues.

Her Worship the Mayor thanked Audit and Council staff working on the opinion, acknowledging the work that took place behind the scenes and acknowledged Group Manager Infrastructure, Alec Louverdis and his team for their work on the capital programme. It was confirmed that the Audit opinion would be received in time for the meeting to be reconvened on Tuesday 29 June, for the adoption of the LTP.

Mr Mackey answered questions, confirming that Council's growth assumptions had been considered at the Consultation Document stage, noting that Council met the growth assumption criteria, which were combined for the region. He clarified what other factors were assessed and that the proposed unbalanced budget was not considered a significant concern.

7. Development Contributions Policy 2021 Adoption (Agenda Item 8)

Document number R25923, agenda pages 612 - 686 refer.

Strategy and Environment Senior Analyst, Chris Pawson, answered questions regarding the public's understanding of the levels of contributions, noting that a contributions tool was available on Council's website. Group Manager Environmental Management, Clare Barton noted that recent internal conversations had taken place between the building and consents teams regarding providing clarity on contributions.

Mr Pawson answered questions regarding reduction in costs for brownfield development and greenfield expansion, and it was noted that development contributions were required to be reasonable but adequate to maintain levels of service.

Resolved CL/2021/102

That the Council

- 1. Receives the report Development Contributions Policy 2021 Adoption (R25923) and its attachment (A2502141); and***
- 2. Adopts the Nelson City Council Policy on Development Contributions 2021 (Attachment one to report R25923, A2502141)***

McGurk/Courtney

Carried

8. Recommendations from Committees (Agenda Item 9)

8.1 Audit, Risk and Finance Subcommittee - 25 May 2021

8.1.1 Draft Treasury Management Policy including Liability Management and Investment Policies

The Subcommittee's recommendation was moved by Her Worship the Mayor, seconded by Councillor Courtney.

Recommendation to Council

That the Council

1. *Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting.*

Her Worship the Mayor/Courtney

Group Manager, Corporate Services, Nikki Harrison, spoke to the Subcommittee's recommendation, explaining the process to date, noting that the Treasury Management Policy was separate to the LTP. Ms Harrison answered questions regarding the review schedule for the policy.

Councillor Sanson foreshadowed a proposed amendment to the Subcommittee's recommendation, Councillor Lawrey to second.

That the Council

1. *Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and*
2. *Undertakes an independent review of Council's approach to forestry in 21/22 financial year, developing a science-led regenerative forestry plan prioritising permanent-canopy indigenous forest opportunities, climate leadership and innovation; and*
3. *Directs staff to review the Treasury Management Plan (TMP) and Investment Policy for Forestry in alignment with the proposed regenerative forestry plan.*

Chief Executive, Pat Dougherty, clarified his advice at the Audit, Risk and Finance Subcommittee meeting where the policy was considered, was that the request constituted a large piece of work and that his recommendation would be to request a report to provide the scope and costs involved in a review.

Discussion took place on the proposed amendment and it was noted that clause 3 appeared to predetermine the outcome of the review and that it

would be preferable to request a report on potential costs and scope, and that clause 3 should be considered after any review had taken place.

During discussion regarding use of the forestry budget for a review, Councillor Skinner raised a Point of Order against Councillor Sanson for disrespectful remarks and potential misrepresentation regarding the naming of Forestry Subcommittee advisors and contractors, which was upheld. Councillor Sanson apologised.

During discussion on the review process, Councillor Sanson raised a Point of Order against the Chief Executive for misrepresentation around the potential costs of a review and the costs of transition, which were not known. The Point of Order was not upheld as the figures had been supplied to Elected Members in related documents.

Following further questions as to whether the forestry funding of \$100,000 could be used to look at all the options for forestry transition, it was reiterated that the forestry budget was to consider alternative commercial species, which still had to adhere to the principles of the Forestry Activity Management Plan (AMP) and the Treasury Management Plan, one of which was provision of a commercial return.

Further concerns were raised regarding clause 3 of the amendment predetermining the outcome of a review without allowing for the financial implications.

It was noted that the amendment should state 'Treasury Management Policy' not 'Plan' and it was clarified that iwi feedback had been factored into the AMP.

Discussion took place regarding replanting and cessation of commercial forestry.

The meeting was adjourned from 10.29am. until 10.46am.

At the request of the mover and seconder, the foreshadowed amendment was replaced with the below amendment.

Amendment

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and***
- 2. Requests a report on the costs and scope of undertaking an independent review of Council's approach to forestry in 21/22 financial year, developing a science-led regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation; and***

3. Directs staff to review the Treasury Management and Investment Policies to enable regenerative forestry policy and report back.

The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr Fulton	Her Worship the	Cr Brand
Cr Lawrey	Mayor Reese	
Cr O'Neill-Stevens	(Chairperson)	
Cr McGurk	Cr Bowater	
Cr Rainey	Cr Courtney	
Cr Sanson	Cr Edgar	
	Cr Noonan	
	Cr Skinner	

The amendment was declared equal 6 - 6.

Sanson/Lawrey

The meeting was adjourned from 11.17am until 11.24am, at which time Councillors Fulton, Lawrey and McGurk were not present.

In order to progress the matter under discussion (SO 20.5), Her Worship the Mayor, seconded by Councillor Edgar, moved the following motion.

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and*
- 2. Requests a report on the potential costs, scope, and high level implications (including financial) of undertaking an independent review of Council's approach to forestry in the 21/22 financial year, including considering developing a regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation to inform the Forestry Activity Management Plan and Treasury Management Policy.*

Attendance: Councillors Fulton, Lawrey and McGurk returned to the meeting at 11.26am.

During debate, Councillor Sanson raised a Point of Order against the Mayor for misrepresentation that she was against forestry in general, Councillor Sanson's Point of Order was not upheld as Councillor Sanson had described clear-fell forestry as 'strip mining' in debate.

Councillor Skinner raised a Point of Order against Councillor Sanson for disrespect, regarding comments relating to dirty politics and campaign

donations. Councillor Skinner’s Point of Order was upheld. Councillor Sanson apologised and withdrew her comments.

The motion was put in parts.

Resolved CL/2021/103

That the Council

- 2. Requests a report on the potential costs, scope, and high level implications (including financial) of undertaking an independent review of Council's approach to forestry in the 21/22 financial year, including considering developing a regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation to inform the Forestry Activity Management Plan and Treasury Management Policy.***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor Reese (Chairperson)	Cr Rainey Cr Skinner	
Cr Bowater		
Cr Brand		
Cr Courtney		
Cr Edgar		
Cr Fulton		
Cr Lawrey		
Cr O'Neill-Stevens		
Cr McGurk		
Cr Noonan		
Cr Sanson		

The motion was carried 11 - 2.

CL/2021/104

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting.***

Her Worship the Mayor/Edgar

Carried

The meeting was adjourned from 11.57am until 12.00pm.

8.2 Regional Transport Committee - 21 April 2021

8.2.1 2021-31 Regional Land Transport Plan – Deliberations Report

Recommendation to Council CL/2021/105

That the Council

- 1. Approves the Nelson Regional Land Transport Plan 2021-2031 (A2570814 of Report R22719) for submission to Waka Kotahi prior to 30 June subject to any changes made as part of the Long Term Plan 2021 - 2031 process, and minor changes made by Marlborough District Council or Tasman District Council Regional Transport Committees, and notes the delegation to the Chair and Deputy Chair of the Regional Transport Committee.***

McGurk/Edgar

Carried

8.2.2 Nelson Tasman Regional Public Transport Plan 2021-31 - Deliberations Report

Recommendation to Council CL/2021/106

That the Council

- 1. Notes that a Regional Public Transport Plan will be brought to Council on 1 July 2021 seeking approval to lodge with Waka Kotahi and that this timing of the approval of the Regional Public Transport Plan will ensure consistency across the Regional Land Transport Plan, Regional Public Transport Plan and Long Term Plan.***

McGurk/Edgar

Carried

9. Adoption of Long Term Plan 2021 – 2031 (Agenda Item 7)

Document number R25879, agenda pages 93 - 611 refer.

Group Manager Corporate Services, Nikki Harrison and Group Manager Strategy and Communications, Nicky McDonald, spoke to the report. Two documents were tabled (A2689716) containing officer amendments and LTP 2021-31 Accounting Policies (A2558353), containing changes requested by the Auditors.

Ms Harrison and Ms McDonald clarified the changes and an additional change was provided to Page 134 of the agenda (Page 27 of the LTP):

Approved an additional \$38,000 per annum to provide the Living Wage for bus drivers in our public transport service dependent on the successful completion of discussions with the contracted public transport operator.

Ms Harrison and Ms McDonald answered questions regarding the LTP. It was noted that the Community Investment Funding Panel membership on agenda page 602 needed to be updated.

During questions, Her Worship the Mayor raised and upheld a Point of Order against Councillor Sanson for being misleading, in suggesting that Council staff were not being honest regarding forestry income. Councillor Sanson withdrew the comments and apologised.

There were further questions regarding the Forestry Reserve balance, financial prudence and wastewater sludge charges.

Discussion took place regarding the Good Food Cities wording on agenda pages 211 and P212 (LTP pages 103 and 104)

Councillor Fulton raised a Point of Order against Councillor Skinner for misrepresentation in the use of the word 'veganism', the Point of Order was upheld.

Councillor Brand raised a Point of Order against Councillor Fulton for disruption (talking across the room), the Point of Order was upheld.

Councillor Fulton moved a motion, seconded by Councillor Sanson, to formalise the Good Food Cities wording on pages 211 and 212 of the agenda, with the amended wording on document A2689716.

Good Food City LTP wording

Resolved CL/2021/107

That the Council

- 1. Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to 212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716.***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor Reese (Chairperson)	Cr Bowater	
Cr Fulton	Cr Brand	
Cr Lawrey	Cr Courtney	
Cr O'Neill-Stevens	Cr Edgar	
Cr McGurk	Cr Noonan	
	Cr Skinner	

Cr Rainey

Cr Sanson

The motion was carried 7 - 6.

Fulton/Sanson

Carried

Following the vote, it was noted that Council had not agreed to sign up to the Good Food City initiative, and suggested that the Good Food City wording decision had gone against Council's LTP deliberations. It was agreed to revisit this topic when the meeting reconvened on Tuesday 29 June 2021.

The meeting was adjourned at 12.42pm, to be reconvened on Tuesday 29 June 2021 at 9.00am.



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson reconvened on Tuesday 29 June 2021, commencing at 9.08a.m.

Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)

Apologies : Nil

10. Late Confidential Item - 5 City Heights

Her Worship the Mayor advised that there was a late confidential item to be considered and therefore a resolution was required to be passed.

The meeting was adjourned from 9.10am until 9.19am.

Group Manager Environmental Management, Clare Barton, advised that the matter needed to be considered at this meeting as the decision was timebound.

It was noted that Audit and Risk Subcommittee Chair, John Peters, would also be remaining for consideration of the late item.

Resolved CL/2021/108

That the Council

Considers the Confidential item regarding 5 City Heights at this meeting as an item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision to be made.

Edgar/McGurk

Carried

11. Exclusion of the Public

Sarah Macky, of Heaney and Partners, and John Peters, Chair of the Audit, Risk and Finance Subcommittee, were in attendance for Item 2 of the Confidential agenda – 5 City Heights, to answer questions and, accordingly, the following resolution was required to be passed:

Resolved CL/2021/109

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 Sarah Macky of Heaney and Partners and John Peters, Chair of the Audit, Risk and Finance Subcommittee, remain after the public has been excluded, for Item 2 of the Confidential agenda (5 City Heights), as they have knowledge that will assist the meeting.***

Edgar/Courtney

Carried

Resolved CL/2021/110

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:***

Her Worship the Mayor/Edgar			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 - 11 May 2021	<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 • 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)
2	Council Meeting - Confidential Minutes - 18 May 2021	<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 • 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)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
3.	5 City Heights	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)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied. • Section 7(2)(g) To maintain legal professional privilege.

The meeting went into confidential session at 9.23am and resumed in public session at 10.57am.

The meeting was adjourned from 10.57am until 11.30am.

Item 9 - The adoption of the Long Term Plan 2021 – 2031 was revisited.

9. Adoption of the Long Term Plan 2021 – 2031 (Good Food City Wording) (revisited)

Discussion took place on the previous Good Food City wording decision (CL/2021/107). Concerns were raised that the decision did not reflect the LTP deliberations discussion, which had not been finalised at the deliberations meeting. It was explained that the proposed replacement wording gave no indication that Council was signing up to the C40 declaration and did not commit Council to spending or resource, but would show Council’s commitments to projects that support the Good Food Cities initiative.

1. *Revokes Decision CL/2021/107, resolved on 24 June 2021*

That the Council

1. *Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to 212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716; and*
2. *Replaces the Good Food City wording in the Long Term Plan 2021 – 31, on Pages 211 – 212 of Council Agenda 24 June 2021, with the following words:*

Good Food City

Council supports Nelson Marlborough Health (NMH) leading work on Nelson becoming a Good Food City – a city that supports sustainable and healthy food, champions its local producers and works to reduce food waste. Council has many projects that contribute to the Good Food City objectives, particularly through reducing food waste and supporting a food resilient community. Examples of projects in the Long Term Plan that support the aims of this work include a proposed kitchenwaste collection scheme (dependent on the results of a trial and government funding), edibles in our reserves, encouraging home composting and initiatives that focus on better use of food.

The meeting was adjourned from 11.51am until 11.59am.

Discussion took place on the proposed motion, which was moved by Councillor Edgar, seconded by Councillor Fulton.

The motion was taken in parts.

Resolved CL/2021/111

That the Council

1. ***Revokes Decision CL/2021/107, resolved on 24 June 2021***

That the Council

1. *Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to 212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716.*

Edgar/Fulton

Carried

Debate took place on the second clause of the motion and it was noted that Nelson City Council did not have a definition of what a good food city was and had not considered the financial implications.

Resolved CL/2021/112

That the Council

- 2. Replaces the Good Food City wording in the Long Term Plan 2021 – 31, on Pages 211 – 212 of Council Agenda 24 June 2021, with the following words:***

Good Food City

Council supports Nelson Marlborough Health (NMH) leading work on Nelson becoming a Good Food City – a city that supports sustainable and healthy food, champions its local producers and works to reduce food waste. Council has many projects that contribute to the Good Food City objectives, particularly through reducing food waste and supporting a food resilient community. Examples of projects in the Long Term Plan that support the aims of this work include a proposed kitchenwaste collection scheme (dependent on the results of a trial and government funding), edibles in our reserves, encouraging home composting and initiatives that focus on better use of food.

Edgar/Fulton

Carried

10 Adoption of the Long Term Plan 2021 – 2031 - Receipt of the Auditor General Auditor's Opinion

The Auditor's opinion was tabled (A2703016)

Resolved CL/2021/113

That the Council

- 1. Receives the Office of the Auditor General Auditor's Opinion on the Long Term Plan 2021 – 2031 (A2703016).***

Her Worship the Mayor/Edgar

Carried

Discussion took place on minor amendments and it was noted that better communication and improvements to the website relating to building and resource consents should be included in the final LTP.

The motion, moved by Her Worship the Mayor, seconded by Councillor Edgar, was taken in parts.

That the Council

1. *Receives the report Adoption of Long Term Plan 2021 - 2031 (R25879) and its attachment (A2681479).*

Carried

That the Council

2. *Adopts the Revenue and Financing Policy (pages 191-225) of A2681479, the Rates Remission Policy (pages 226-237) of A2681479.*

Carried

That the Council

3. *Confirms that setting an unbalanced budget in 2021/22, 2022/23 and 2023/24 of the Long Term Plan 2021 – 2031 is prudent in terms of section 100 of the Local Government Act 2002, given the ongoing effects of the COVID-19 pandemic on the local economy and ratepayers, and having had regard to the matters in section 100(2) of the Local Government Act 2002.*

Carried

Debate took place on the adoption of the LTP motion, with a range of views expressed for and against. Councillor Skinner requested that the minutes note his view that the Library Project \$26million budget would blow out and went too far beyond Council's core responsibilities.

Councillor Fulton raised a Point of Order against Councillor Sanson for misrepresentation regarding a statement that Council's current forestry approach and response was indicative of systemic issues, noting that scenarios were based on worst case and that the work was based on reducing emissions.

The meeting was adjourned from 1.20pm until 1.50pm to allow consideration of the Point of Order.

Following advice given by Mr Dougherty on flood levels, the Point of Order was upheld as misleading.

Councillor Lawrey raised a Point of Order against Councillor Edgar for misrepresentation regarding comments he felt that were directed at

him, the Point of Order was not upheld as it was felt they were not a direct criticism.

The meeting was adjourned from 2.26pm until 2.32pm.

In closing, Her Worship the Mayor, acknowledged the work undertaken on the LTP, the critical timeframes and the role of Audit New Zealand. She recognised that a change in local government was needed, as ratepayers were finding it difficult, especially with COVID-19 repercussions and the property revaluation process. She noted Council's environmental responsibilities, particularly relating to freshwater work, the science and technology precinct, Council's spatial plan and the marina and encouraged Elected Members to support the adoption of the LTP.

That the Council

3. *Adopts the Long Term Plan 2021 - 2031 (A2681479) pursuant to Section 93 of the Local Government Act 2002.*

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Her Worship the Mayor Reese (Chairperson)	Cr Brand	
Cr Bowater	Cr O'Neill-Stevens	
Cr Courtney	Cr Rainey	
Cr Edgar	Cr Sanson	
Cr Fulton	Cr Skinner	
Cr Lawrey		
Cr McGurk		
Cr Noonan		

The motion was carried 8 - 5.

That the Council

4. *Delegates the Mayor (or in her absence the Deputy Mayor) and Chief Executive to make any necessary minor editorial amendments prior to the release of the final Long Term Plan 2021 - 2031 to the public.*

Carried

That the Council

6. *Sets and assesses the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2021 and ending on 30 June 2022.*

The revenue approved below will be raised by the rates and charges that follow:

Revenue approved:

<i>General Rate</i>	<i>\$44,415,955</i>
<i>Uniform Annual General Charge</i>	<i>\$9,111,973</i>
<i>Stormwater and Flood Protection Charge</i>	<i>\$7,202,771</i>
<i>Waste Water Charge</i>	<i>\$9,361,397</i>
<i>Water Annual Charge</i>	<i>\$3,799,826</i>
<i>Water Volumetric Charge</i>	<i>\$8,866,261</i>
<i>Clean Heat Warm Homes and Solar Saver</i>	<i>\$70,228</i>
	<hr/>
<i>Rates and Charges (excluding GST)</i>	<i>\$82,828,411</i>
<i>Goods and Services Tax (at the current rate)</i>	<i>\$12,424,261</i>
	<hr/>
<i>Total Rates and Charges</i>	<i>\$95,252,672</i>
	<hr/>

The rates and charges below are GST inclusive

(1) General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:

- a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential – single unit" category.*
- a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential empty section" category.*
- a rate of 0.62240 cents in the dollar of land value on every rating unit in the "single residential unit forming part of a parent valuation, the remainder of which is non-rateable" category. This represents a plus 10% differential on land value.*
- a rate of 0.62240 cents in the dollar of land value on every rating unit in the "multi residential" category. This represents a plus 10% differential on land value.*

- *a rate of 1.54924 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 173.805% differential on land value.*
- *a rate of 1.30365 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 25% residential and 75% commercial" category. This represents a plus 130.4% differential on land value.*
- *a rate of 1.05752 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 50% residential and 50% commercial" category. This represents a plus 86.9% differential on land value.*
- *a rate of 0.81195 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 75% residential and 25% commercial" category. This represents a plus 43.5% differential on land value.*
- *a rate of 1.65992 cents in the dollar of land value on every rating unit in the "commercial inner city" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 193.365% differential on land value.*
- *a rate of 1.38626 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 25% residential and 75% commercial" category. This represents a plus 145% differential on land value.*
- *a rate of 1.11297 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 50% residential and 50% commercial" category. This represents a plus 96.7% differential on land value.*
- *a rate of 0.83911 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 75% residential and 25% commercial" category. This represents a plus 48.3% differential on land value.*
- *a rate of 1.59703 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 100% commercial and industrial (occupied and empty)" category. This represents a plus 182.25% differential on land value.*
- *a rate of 1.33930 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 25%*

residential and 75% commercial” category. This represents a plus 136.7% differential on land value.

- *a rate of 1.08128 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 50% residential and 50% commercial” category. This represents a plus 91.1% differential on land value.*
- *a rate of 0.82383 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 75% residential and 25% commercial” category. This represents a plus 45.6% differential on land value.*
- *a rate of 0.36778 cents in the dollar of land value on every rating unit in the “rural” category. This represents a minus 35% differential on land value.*
- *a rate of 0.50924 cents in the dollar of land value on every rating unit in the “small holding” category. This represents a minus 10% differential on land value.*

(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$429.14 per separately used or inhabited part of a rating unit.

(3) Stormwater and Flood Protection Charge

A targeted rate under section 16 of the Local Government (Rating) Act 2002 of \$384.62 per rating unit, this rate is payable by all ratepayers excluding rural rating units, rating units east of the Gentle Annie saddle, Saxton’s Island and Council’s stormwater network.

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- *\$502.29 per separately used or inhabited part of a residential, multi residential, rural and small holding rating units that is connected either directly or through a private drain to a public waste water drain.*
- *For commercial rating units, a waste water charge of \$125.57 per separately used or inhabited part of a rating unit that is connected either directly or through a private drain to a public waste water drain. Note: a “trade” waste charge will also be levied.*

(5) Water Annual Charge

A targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002, of:

Water charge (per connection) \$203.29

(6) Water Volumetric Rate

A targeted rate for water provided under Section 19 of the Local Government (Rating) Act 2002, of:

Price of water:

Usage up to 10,000 cu.m/yr \$2.038 per m³

Usage from 10,001 – 100,000 cu.m/year 1.708 per m³

Usage over 100,000 cu.m/year 1.348 per m³

*Summer irrigation usage over 10,000 cu.m/year
\$1.873 per m³*

(7) Clean Heat Warm Homes

A targeted rate per separately used or inhabited part of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of:

- For properties levied the Clean Heat Warm Homes rate as a result of agreements entered into on or after 1 July 2011, the targeted rate for each year for 10 years will be the total cost of the installed works excluding GST, divided by 10, plus GST.*
- For properties assessed the Clean Heat Warm Homes rate as a result of agreements entered into prior to 1 July 2011 the targeted rate of:*

<i>Loan Assistance Range</i>	<i>Installation after 30 Sept 2010</i>	<i>Completed prior to 30 Sept 2010</i>
<i>\$1,400 to \$1,599</i>	<i>\$140.00</i>	<i>\$143.11</i>
<i>\$1,600 to \$1,799</i>	<i>\$160.00</i>	<i>\$163.56</i>
<i>\$1,800 to \$1,999</i>	<i>\$180.00</i>	<i>\$184.00</i>
<i>\$2,000 to \$2,199</i>	<i>\$200.00</i>	<i>\$204.44</i>
<i>\$2,200 to \$2,399</i>	<i>\$220.00</i>	<i>\$224.89</i>

\$2,400 to \$2,599	\$240.00	\$245.34
\$2,600 to \$2,799	\$260.00	\$265.78
\$2,800 to \$2,999	\$280.00	\$286.22
\$3,000 to \$3,199	\$300.00	\$306.67
\$3,200 to \$3,399	\$320.00	\$327.11
\$3,400 to \$3,599	\$340.00	\$347.56
\$3,600 to \$3,799	\$360.00	\$368.00
\$3,800 to \$3,999	\$380.00	\$388.44
\$4,000 to \$4,199	\$400.00	\$408.89
\$4,200 to \$4,399	\$420.00	\$429.34
\$4,400 to \$4,599	\$440.00	\$449.78
\$4,600 to \$4,799	\$460.00	\$470.22
\$4,800 to \$4,999	\$480.00	\$490.67

(8) Solar Hot Water Systems

A targeted rate for any separately used or inhabited parts of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of the following factors on the extent of provision of service (net cost of the work including GST after deducting EECA grant, plus funding cost):

- *0.14964 (including GST) for agreements entered into prior to 1 July 2011, multiplied by the Net Cost of the Work adjusted for any increased GST.*
- *0.13847 (including GST) for agreements entered into after 1 July 2011 multiplied by the Net Cost of the Work.*

(9) Low Valued Properties Remission Value

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council’s Rates Remission Policy, Council sets the land value for the Low Valued Properties Rates Remission at \$6,000.

Other Rating Information:

Due Dates for Payment of Rates

The above rates (excluding water volumetric rates) shall be payable in four instalments on the following dates:

<i>Instalment Number</i>	<i>Instalment Due Date</i>	<i>Last Date for Payment</i>	<i>Penalty Date</i>
<i>Instalment 1</i>	<i>26 July 2021</i>	<i>20 August 2021</i>	<i>26 August 2021</i>
<i>Instalment 2</i>	<i>25 October 2021</i>	<i>22 November 2021</i>	<i>26 November 2021</i>
<i>Instalment 3</i>	<i>25 January 2022</i>	<i>21 February 2022</i>	<i>25 February 2022</i>
<i>Instalment 4</i>	<i>25 April 2022</i>	<i>20 May 2022</i>	<i>26 May 2022</i>

Rates instalments not paid on or by the Last Date for payment above will incur penalties as detailed in the section "Penalty on Rates".

Due Dates for Payment of Water Volumetric Rates

Water volumetric rates shall be payable on the following dates:

<i>Billing Month</i>	<i>Last Date for Payment</i>
<i>July 2021</i>	<i>20 August 2021</i>
<i>August 2021</i>	<i>20 September 2021</i>
<i>September 2021</i>	<i>20 October 2021</i>
<i>October 2021</i>	<i>22 November 2021</i>
<i>November 2021</i>	<i>20 December 2021</i>
<i>December 2021</i>	<i>20 January 2022</i>
<i>January 2022</i>	<i>21 February 2022</i>
<i>February 2022</i>	<i>21 March 2022</i>
<i>March 2022</i>	<i>20 April 2022</i>
<i>April 2022</i>	<i>20 May 2022</i>
<i>May 2022</i>	<i>20 June 2022</i>
<i>June 2022</i>	<i>20 July 2022</i>

Penalty on Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, Council authorises the following penalties on unpaid rates (excluding volumetric water rate accounts) and delegates authority to the Group Manager Corporate Services to apply them:

- a charge of 5% of the amount of each rate instalment remaining unpaid after the due date stated above, to be added on the penalty date as shown in the above table and also shown on each rate instalment notice.*
- a charge of 5% will be added on 8 July 2021 to any balance from a previous rating year (including penalties previously charged) remaining outstanding on 1 July 2021.*
- a further additional charge of 5% will be added on 10 January 2022 to any balance from a previous rating year (including*

penalties previously charged) to which a penalty has been added according to the bullet point above, remaining outstanding on 7 January 2022.

Penalty Remission

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, the Council will approve the remission of a penalty where the criteria of the policy has been met.

Payment of Rates

Rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday, Tuesday, Thursday and Friday and 9.00am to 5.00pm Wednesday.

Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then to current year rates due.

For clarity, the full Adoption of the Long Term Plan 2021 – 2031 resolution is below:

Resolved CL/2021/114

That the Council

- 1. Receives the report Adoption of Long Term Plan 2021 - 2031 (R25879) and its attachment (A2681479); and***
- 2. Adopts the Revenue and Financing Policy (pages 191-225) of A2681479, the Rates Remission Policy (pages 226-237) of A2681479; and***
- 3. Confirms that setting an unbalanced budget in 2021/22, 2022/23 and 2023/24 of the Long Term Plan 2021 – 2031 is prudent in terms of section 100 of the Local Government Act 2002, given the ongoing effects of the COVID-19 pandemic on the local economy and ratepayers, and having had regard to the matters in section 100(2) of the Local Government Act 2002; and***
- 4. Adopts the Long Term Plan 2021 - 2031 (A2681479) pursuant to Section 93 of the Local Government Act 2002; and***

5. ***Delegates the Mayor (or in her absence the Deputy Mayor) and Chief Executive to make any necessary minor editorial amendments prior to the release of the final Long Term Plan 2021 - 2031 to the public; and***
6. ***Sets and assesses the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2021 and ending on 30 June 2022.***

The revenue approved below will be raised by the rates and charges that follow:

Revenue approved:

<i>General Rate</i>	<i>\$44,415,955</i>
<i>Uniform Annual General Charge</i>	<i>\$9,111,973</i>
<i>Stormwater and Flood Protection Charge</i>	<i>\$7,202,771</i>
<i>Waste Water Charge</i>	<i>\$9,361,397</i>
<i>Water Annual Charge</i>	<i>\$3,799,826</i>
<i>Water Volumetric Charge</i>	<i>\$8,866,261</i>
<i>Clean Heat Warm Homes and Solar Saver</i>	<i>\$70,228</i>
	<hr/>
<i>Rates and Charges (excluding GST)</i>	<i>\$82,828,411</i>
<i>Goods and Services Tax (at the current rate)</i>	<i>\$12,424,261</i>
	<hr/>
<i>Total Rates and Charges</i>	<i>\$95,252,672</i>
	<hr/>

The rates and charges below are GST inclusive

(1) General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:

- ***a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential – single unit" category.***
- ***a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential empty section" category.***
- ***a rate of 0.62240 cents in the dollar of land value on every rating unit in the "single residential unit forming part of a parent valuation, the remainder of which is non-rateable" category. This represents a plus 10% differential on land value.***
- ***a rate of 0.62240 cents in the dollar of land value on every rating unit in the "multi residential" category. This represents a plus 10% differential on land value.***
- ***a rate of 1.54924 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 173.805% differential on land value.***
- ***a rate of 1.30365 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 25% residential and 75% commercial" category. This represents a plus 130.4% differential on land value.***
- ***a rate of 1.05752 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 50% residential and 50% commercial" category. This represents a plus 86.9% differential on land value.***
- ***a rate of 0.81195 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 75% residential and 25% commercial" category. This represents a plus 43.5% differential on land value.***
- ***a rate of 1.65992 cents in the dollar of land value on every rating unit in the "commercial***

inner city" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 193.365% differential on land value.

- ***a rate of 1.38626 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 25% residential and 75% commercial" category. This represents a plus 145% differential on land value.***
- ***a rate of 1.11297 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 50% residential and 50% commercial" category. This represents a plus 96.7% differential on land value.***
- ***a rate of 0.83911 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 75% residential and 25% commercial" category. This represents a plus 48.3% differential on land value.***
- ***a rate of 1.59703 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 100% commercial and industrial (occupied and empty)" category. This represents a plus 182.25% differential on land value.***
- ***a rate of 1.33930 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 25% residential and 75% commercial" category. This represents a plus 136.7% differential on land value.***
- ***a rate of 1.08128 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 50% residential and 50% commercial" category. This represents a plus 91.1% differential on land value.***
- ***a rate of 0.82383 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 75% residential and 25% commercial" category. This represents a plus 45.6% differential on land value.***
- ***a rate of 0.36778 cents in the dollar of land value on every rating unit in the "rural" category. This represents a minus 35% differential on land value.***

- **a rate of 0.50924 cents in the dollar of land value on every rating unit in the "small holding" category. This represents a minus 10% differential on land value.**

(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$429.14 per separately used or inhabited part of a rating unit.

(3) Stormwater and Flood Protection Charge

A targeted rate under section 16 of the Local Government (Rating) Act 2002 of \$384.62 per rating unit, this rate is payable by all ratepayers excluding rural rating units, rating units east of the Gentle Annie saddle, Saxton's Island and Council's stormwater network.

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- **\$502.29 per separately used or inhabited part of a residential, multi residential, rural and small holding rating units that is connected either directly or through a private drain to a public waste water drain.**
- **For commercial rating units, a waste water charge of \$125.57 per separately used or inhabited part of a rating unit that is connected either directly or through a private drain to a public waste water drain. Note: a "trade" waste charge will also be levied.**

(5) Water Annual Charge

A targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002, of:

**Water charge (per connection)
\$203.29**

(6) Water Volumetric Rate

A targeted rate for water provided under Section 19 of the Local Government (Rating) Act 2002, of:

Price of water:

Usage up to 10,000 cu.m/yr \$2.038 per m³

**Usage from 10,001 – 100,000 cu.m/year
1.708 per m³**

Usage over 100,000 cu.m/year 1.348 per m³

**Summer irrigation usage over 10,000 cu.m/year
\$1.873 per m³**

(7) Clean Heat Warm Homes

A targeted rate per separately used or inhabited part of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of:

- For properties levied the Clean Heat Warm Homes rate as a result of agreements entered into on or after 1 July 2011, the targeted rate for each year for 10 years will be the total cost of the installed works excluding GST, divided by 10, plus GST.**
- For properties assessed the Clean Heat Warm Homes rate as a result of agreements entered into prior to 1 July 2011 the targeted rate of:**

Loan Assistance Range	Installation after 30 Sept 2010	Completed prior to 30 Sept 2010
\$1,400 to \$1,599	\$140.00	\$143.11
\$1,600 to \$1,799	\$160.00	\$163.56
\$1,800 to \$1,999	\$180.00	\$184.00
\$2,000 to \$2,199	\$200.00	\$204.44
\$2,200 to \$2,399	\$220.00	\$224.89
\$2,400 to \$2,599	\$240.00	\$245.34
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\$4,800 to \$4,999	\$480.00	\$490.67

(8) Solar Hot Water Systems

A targeted rate for any separately used or inhabited parts of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of the following factors on the extent of provision of service (net cost of the work including GST after deducting EECA grant, plus funding cost):

- 0.14964 (including GST) for agreements entered into prior to 1 July 2011, multiplied by the Net Cost of the Work adjusted for any increased GST.***
- 0.13847 (including GST) for agreements entered into after 1 July 2011 multiplied by the Net Cost of the Work.***

(9) Low Valued Properties Remission Value

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council’s Rates Remission Policy, Council sets the land value for the Low Valued Properties Rates Remission at \$6,000.

Other Rating Information:

Due Dates for Payment of Rates

The above rates (excluding water volumetric rates) shall be payable in four instalments on the following dates:

Instalment Number	Instalment Due Date	Last Date for Payment	Penalty Date
Instalment 1	26 July 2021	20 August 2021	26 August 2021
Instalment 2	25 October 2021	22 November 2021	26 November 2021
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Instalment 4	25 April 2022	20 May 2022	26 May 2022

Rates instalments not paid on or by the Last Date for payment above will incur penalties as detailed in the section "Penalty on Rates".

Due Dates for Payment of Water Volumetric Rates

Water volumetric rates shall be payable on the following dates:

Billing Month	Last Date for Payment
July 2021	20 August 2021
August 2021	20 September 2021
September 2021	20 October 2021
October 2021	22 November 2021
November 2021	20 December 2021
December 2021	20 January 2022
January 2022	21 February 2022
February 2022	21 March 2022
March 2022	20 April 2022
April 2022	20 May 2022
May 2022	20 June 2022
June 2022	20 July 2022

Penalty on Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, Council authorises the following penalties on unpaid rates (excluding volumetric water rate accounts) and delegates authority to the Group Manager Corporate Services to apply them:

- **a charge of 5% of the amount of each rate instalment remaining unpaid after the due date stated above, to be added on the penalty date as**

shown in the above table and also shown on each rate instalment notice.

- ***a charge of 5% will be added on 8 July 2021 to any balance from a previous rating year (including penalties previously charged) remaining outstanding on 1 July 2021.***
- ***a further additional charge of 5% will be added on 10 January 2022 to any balance from a previous rating year (including penalties previously charged) to which a penalty has been added according to the bullet point above, remaining outstanding on 7 January 2022.***

Penalty Remission

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, the Council will approve the remission of a penalty where the criteria of the policy has been met.

Payment of Rates

Rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday, Tuesday, Thursday and Friday and 9.00am to 5.00pm Wednesday.

Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then to current year rates due.

Her Worship the Mayor/Edgar

Carried

Attachments

- 1 A2689716 - LTP 2021-31 changes to table
- 2 A2558353 - LTP 2021-31 - Accounting Policies
- 3 A2703016 - Auditor General Auditor's Opinion on the Long Term Plan 2021 - 2031

Karakia Whakamutunga

There being no further business the meeting ended at 2.53pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date