



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 25 August 2022, commencing at 9.02a.m.

- Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), 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) Assistant Governance Adviser (A Bryce-Neumann)
- Apologies : Councillor K Fulton

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2022/165

That the Council

- Receives and accepts the apologies from Councillor Fulton for attendance.***

Edgar/Courtney

Carried

Attendance: Councillor Lawrey joined the meeting at 9.04a.m.

2. Confirmation of Order of Business

Her Worship the Mayor Reese advised that due to time constraints she would move in to Confidential session to consider Items 5, 6 and 7 of the Confidential Agenda following Public Forum.

3. Interests

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

Subsequently Councillor O'Neill-Stevens declared an interest in Item 8: Outdoor Dining Structure on Hardy Street and left the meeting.

4. Public Forum

4.1. Tahunanui Business and Citizens Association - Waka Kotahi's Nelson Future Access Roding Plans Through Tahunanui

Document number R27131

Her Worship the Mayor thanked the Tahunanui Business and Citizens Association for their work with the Tahunanui community during the significant rainfall event and current Civil Defence Emergency.

Paul Matheson thanked Council and Controller, Alec Louverdis, for the significant work during the devastating storm.

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

Jac Stevenson and Paul Matheson, from the Tahunanui Business and Citizens Association, spoke about the Waka Kotahi's Nelson Future Access roding plans through Tahunanui and provided a presentation (tabled 1982984479-4519) that showed statistics of traffic movement and their observations included consistent high traffic volume, high decibel levels and air pollution. Ms Stevenson tabled correspondence from local and national bodies who would be affected by the reinstatement of the southbound lane outside the Tahunanui Pharmacy and medical centre (1982984479-4446, 1982984479-4447).

Attachments

- 1 1982984479-4519 PowerPoint TBCA.pdf
- 2 1982984479-4446 TBCA Tabled Document 1
- 3 1982984479-4447 TBCA Tabled Document 2

4.2. MP Rachel Boyack - Waka Kotahi's Nelson Future Access roding plans through Tahunanui

Document number R27150

Rachel Boyack, MP for Nelson, wished to record her thanks to Council and Controller, Alec Louverdis, for the significant work during the current emergency.

She spoke about Waka Kotahi's Nelson Future Access roading plans through Tahunanui and supported the concerns of the Tahunanui Business and Citizens Association around the Tahunanui Drive intersection and reinstatement of the southbound lane.

5 Exclusion of the Public

Sophie Kelly, of Adam Chamber Music Festival, would be in attendance for Item 6 of the Confidential agenda to answer questions.

Annika Striefland, Employment Consultant, would be in attendance for Item 7 of the Confidential agenda to answer questions.

Accordingly, the following resolution was required to be passed.

Resolved CL/2022/166

That the Council

- 2. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Sophie Kelly remain after the public has been excluded, for Item 6 of the Confidential agenda (Event funding - Adam Chamber Music Festival 2024), as she has knowledge that will assist the meeting; and***
- 3. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Annika Striefland remain after the public has been excluded, for Item 7 of the Confidential agenda (Recruitment of Chief Executive), as she has knowledge that will assist the meeting.***

Resolved CL/2022/167

That the Council

- 4. Excludes the public from the following parts of the proceedings of this meeting.***
- 5. 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:***

Bowater/Noonan

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)
1.1	Council Meeting - Confidential Minutes - 12 July 2022	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)(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)
1.2	Council Meeting - Confidential Minutes - 28 July 2022	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)(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	Confirmation of Minutes - Confidential - 05 July 2022	Section 48(1)(a) The public conduct of this matter would be likely to	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)
		result in disclosure of information for which good reason exists under section 7	To protect the privacy of natural persons, including that of a deceased person
3	Confirmation of Highly Confidential minutes 26 May 2022 and 07 June 2022	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
5	Event funding - Adam Chamber Music Festival 2024	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)
6	Proposed acquisition of land for reserve in Nelson	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)
7	Recruitment of a Chief Executive	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)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who

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>supplied or who is the subject of the information</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
8	Nelmac Limited Director remuneration 2022	<p>Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into confidential session at 9.46a.m. and resumed in public session at 11.53a.m. at which time Her Worship the Mayor Reese vacated the Chair. Deputy Mayor Edgar assumed the Chair.

The meeting adjourned from 11.53a.m. until 12.01p.m. at which time Councillor Skinner had left the meeting.

6. Confirmation of Minutes

6.1 12 July 2022

Document number M19632, agenda pages 13 - 35 refer.

The minutes were amended to reflect that the time the meeting moved out of Confidential should read 11.40a.m., not 10.40a.m.

Resolved CL/2022/168

That the Council

- 1. Confirms the amended minutes of the meeting of the Council, held on 12 July 2022, as a true and correct record.**

Courtney/McGurk

Carried

6.2 28 July 2022

Document number M19681, agenda pages 36 - 40 refer.

The minutes were amended to reflect that Councillors Bowater, Edgar and Skinner, who were late apologies for the meeting, were listed as present.

Resolved CL/2022/169

That the Council

- 1. Confirms the amended minutes of the meeting of the Council, held on 28 July 2022, as a true and correct record.**

Bowater/Brand

Carried

7. Confirmation of Minutes - 05 July 2022

Document number R27139, agenda pages 41 - 43 refer.

Resolved CL/2022/170

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 05 July 2022, as a true and correct record.**

Edgar/Lawrey

Carried

8. Outdoor Dining Structure on Hardy Street (Agenda Item 9)

Document number R27101, agenda pages 44 - 51 refer.

Councillor O'Neill-Stevens declared an interest and took no part in the debate or decision making.

Attendance: Councillor O'Neill-Stevens left the meeting at 12.06p.m.

Manager Property Services, Rebecca Van Orden, and Property Leases Officer, Brad Sidley presented the report and answered questions on final design, maintenance and aesthetics.

Attendance: Councillor Skinner joined the meeting at 12.17p.m.

Ms Van Orden confirmed that the design standards were high, and that signage, negative impacts on space and advertising would be considered in the final design, noting approval would be granted by the City Development Team. She confirmed that the cost of moving street lighting would be shared with the applicant.

Resolved CL/2022/171

That the Council

- 1. Receives the report Request for Outdoor Dining Structure on Hardy Street (R26987) and its attachment (A2910349); and***
- 2. Approves the application for an outdoor dining structure outside 274-278 Hardy Street (Parts & Services and Urban), subject to the applicant securing all consents and all necessary Council signoffs; and***
- 3. Approves an outdoor dining structure outside 280 Hardy Street (Sprig and Fern) should an application be received, subject to the applicant securing all consents and all necessary Council signoffs; and***
- 4. Notes that Council will fund up to \$7,500 from existing operational budgets in order to relocate a street light fixture; and***
- 5. Delegates all future approvals for outdoor dining structures to the Chief Executive.***

Lawrey/Courtney

Carried

The meeting adjourned from 12.34p.m. until 1.04p.m. at which time Her Worship the Mayor Reese assumed the Chair.

9. Tahunanui off-street parking (Agenda Item 10)

Document number R27100, agenda pages 52 - 72 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report and answered questions on future options.

Clause 3 was amended to clarify the proposed option was to replace on-street with off-street parking, and clause 5 was amended to remove reference to reinstatement of the southbound merge lanes.

The meeting adjourned from 1.25p.m. until 1.27p.m.

The motion was put and Councillors Brand and Skinner requested their vote against the motion to be recorded in the minutes.

Resolved CL/2022/172

That the Council

- 1. Receives the report Tahunanui off-street parking (R27100) and its attachments (A2906154 and A2909737); and***
- 2. Notes the work undertaken to explore off-street parking options pending the reinstatement of the Tahunanui southbound merge lanes by Waka Kotahi; and***
- 3. Notes that no reasonably practical proposal option to replace on-street with off-street parking when Waka Kotahi reinstates the southbound Tahunanui Drive merge lanes has been identified at this stage; and***
- 4. Notes that officers will continue to explore options and report any opportunities back to Council; and***
- 5. Notes that officers will continue to work and liaise with Waka Kotahi to ensure that safety matters are addressed for all users.***

Her Worship the Mayor/Bowater

Carried

10. Approval of the Nelson Tasman Regeneration Plan (Agenda Item 12)

Document number R26941, agenda pages 88 - 142 refer.

Her Worship the Mayor Reese vacated the chair and left the meeting at 1.36p.m. and Councillor Edgar assumed the Chair.

Manager Strategy, Pip Jamieson, presented the report noting the final Plan had been circulated with the Agenda and requested that Clause 2 be amended to read 'Endorses', not Approves as this was not a Council plan.

Meg Matthews, Chair and Fiona Wilson, Chief Executive of Nelson Regional Development Agency, along with Consultant Johnny O'Donnell, O'D & Co, presented the Regeneration Plan and answered questions on the impacts of hybrid working, key actions and lifting the economy.

Attendance: Councillor Skinner left the meeting at 1.57p.m.

Resolved CL/2022/173

That the Council

1. **Receives the report Approval of the Nelson Tasman Regeneration Plan (R26941) and its attachments (A291652, A2921653 and A2921651); and**
2. **Endorses the Nelson Tasman Regeneration Plan (attachment A2921652);**

Brand/O'Neill-Stevens

Carried

11. Adoption of the Whakatū Nelson Arts and Creativity Strategy (Agenda Item 13)

Document number R27033, agenda pages 143 - 182 refer.

Attendance: Her Worship the Mayor Reese joined the meeting at 2.05p.m. and assumed the Chair.

Group Manager Strategy and Communications, Nicky McDonald presented the report and introduced Chief Executive Chamber of Commerce, Ali Boswick and Johnny O'Donnell, O'D & Co.

Ms Boswick and Mr O'Donnell presented the Whakatū Nelson Arts and Creativity Strategy and answered questions on feedback on the strategy, noting that there had been extremely positive feedback, however there was also consistent feedback that, collectively, we had dropped the ball through investment in the arts.

Her Worship the Mayor Reese asked that a foreword be included and the recommendation was amended to reflect this.

Attendance: Her Worship the Mayor Reese vacated the Chair and left the meeting at 2.30p.m. at which time Deputy Mayor Edgar assumed the Chair.

Resolved CL/2022/174

That the Council

1. **Receives the report Adoption of the Whakatū Nelson Arts and Creativity Strategy (R27033) and its attachments (839498445-7391, 839498445-7387); and**
2. **Adopts He Tātai Whetū, the final Whakatū Nelson Arts and Creativity Strategy (839498445-7391); and**
3. **Mandates that the Arts Strategy Working Group Chair and the Group Manager Strategy and Communications to approve any minor editorial amendments required to finalise the Strategy, including consideration of a foreword; and**

- 4. Notes that a further report outlining the operation and membership of a He Tātai Whetū Steering Group will be brought to Council for approval.**

Edgar/Rainey

Carried

12. Recommendations from Committees (Agenda Item 7)

12.1 Infrastructure Committee - 4 August 2022

12.1.1 Adoption of Parking Strategy 2022 and Parking Management Plans

Recommendation to Council CL/2022/175

That the Council

- 1. Adopts the Parking Strategy and associated Parking Management Plans ; and**
- 2. Delegates responsibility for any minor amendments of the Strategy and Parking Management plans to the Chair of the Infrastructure Committee and the Group Manager of Infrastructure.**

McGurk/O'Neill-Stevens

Carried

The meeting adjourned from 2.48p.m. until 3.00p.m. at which time Her Worship the Mayor Reese and Councillor Skinner joined the meeting. Her Worship the Mayor Reese assumed the Chair.

Her Worship the Mayor Reese thanked Team Leader Transport Activity Management, Sue Macauley, for her efforts and high level of work over the previous 12 years at Council, noting it was her last Council meeting before retirement.

13. Mayor's Report (Agenda Item 8)

Resolved CL/2022/176

Document number R27141, agenda pages 44 - 0 refer.

Her Worship the Mayor Reese tabled her report and provided a verbal update on the state of emergency in Nelson. She recapped that the declaration had been signed very quickly as the Maitai river rose at disturbing speed. She recognised that many people were not able to be in their homes, and that teams were working incredible hours to assess properties. She thanked those from Councils across the motu who had arrived to support the Council in recovery.

She confirmed there was a Mayoral Relief Fund, and officers were working through the application process and trying to simplify this as much as possible. She confirmed that the water supply was safe, the main stormwater lines were secure and officers were working with Waka Kotahi on the transport network.

Mayor Reese asked for Elected Members support to write to Waka Kotahi to notify that the introduction of an extra lane on Tahunanui Drive was not supported by Council.

During discussion members agreed that the impacts of the significant rainfall event and state of emergency meant that the Nelson Future Access study should be revisited, that there should be more focus on pedestrians and cyclists and off street parking along Tahunanui Drive to remove the danger of people opening doors onto the fast flowing lane.

Elected Members supported Her Worship the Mayor Reese writing to Waka Kotahi noting Council's support for the objectives of the Nelson Future Access Study, noting support for Tahunanui Community and that the introduction of a clearway as planned on Tahunanui Drive was not supported by Council

That the Council

1. Receives the report Mayor's Report (R27141) and its attachment (839498445-2501).

Her Worship the Mayor/Edgar

Carried

Attachments

1 1982984479-4605 Council 25Aug2022 Mayor's Report tabled

14. Three Waters Reform - Better Off Funding Proposal (Agenda Item 14)

Document number R27048, agenda pages 183 - 196 refer.

Her Worship the Mayor Reese noted that report was written before the significant rain event started and the Department of Internal Affairs had provided an extension on timing to allow Council to review the proposal.

Members discussed the cost of Recovery from the emergency event and it was noted that it was too early to identify projects that would fit with the Better Off Funding, capital projects would be debt funded and that funding would be available from central government. It was agreed to support the Nelson Tasman councils jointly funded Urban Development Agency and add this to the proposal by adjusting funding for Te Ara Ō Whakatū City Centre Playspace by \$75,000.

The meeting adjourned from 3.59p.m. until 4.01p.m.

Extension of Meeting Time

Resolved CL/2022/177

That the Council

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

Edgar/Lawrey

Carried

The meeting adjourned from 4.09p.m. until 4.21p.m. at which time Councillors Bowater, Courtney and Skinner left the meeting.

Resolved CL/2022/178

That the Council

1. ***Receives the report Three Waters Reform - Better Off Funding Proposal (R27048) and its attachments (839498445-5560, 839498445-5279); and***
2. ***Agrees that staff prepare a draft funding proposal to the Department of Internal Affairs for Better Off Funding for the following projects;***
 - a. ***Te Ara Ō Whakatū City Centre Playspace***
 - b. ***Railway Reserve Lighting from Annesbrook to Saxton Field***
 - c. ***Arts and Creativity Strategy***
 - d. ***Iwi Capacity Building***
 - e. ***Community Car Sharing***
 - f. ***Whai Oranga Wellbeing Centre***
 - g. ***Nelson Tasman Urban Development Agency***
to be approved by Council at a meeting in September 2022; and
3. ***Agrees that staff also include a rebuild of the ItsOn events website in the funding proposal, to use any funds not used by the six priority projects.***

Edgar/Lawrey

Carried

15. Report from Urban Development Subcommittee Chair – Housing Reserve Phase Two (Agenda Item 11)

Document number R27160, agenda pages 73 - 87 refer.

Deputy Mayor Edgar presented the report and answered questions on whether any applications would change as a result of the emergency event, confirming there was no change.

Resolved CL/2022/179

That the Council

- 1. Receives the report Housing Reserve Phase 2 (R27160) and its attachment (Housing Reserve Phase One Criteria and Process Sep2021 A2748972);***
- 2. Approves Housing Reserve Phase Two as set out in this Report (R27160) including its proposed value of \$2 million as grant funding;***
- 3. Notes that \$2 million has been provided for Phase Two of the Housing Reserve in the 2022/23 Annual Plan.***
- 4. Approves \$1 million in funding to the Nelson Tasman Housing Trust from the Housing Reserve for the development of 76 Dodson Valley Road.***
- 5. Approves \$1 million in funding to Habitat for Humanity (Nelson) Ltd from the Housing Reserve for the development of 181 Rutherford Street.***
- 6. Delegates the confirmation of the grant funding agreements to the Chief Executive.***

Rainey/Lawrey

Carried

16. Exclusion of the Public

Resolved CL/2022/180

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)
4	Recommendations from Committees		
4.1.1	Strategic Development and Property Subcommittee - 28 July 2022 Brook Valley Holiday Park Relocatable Home Park	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
4.1.2	Strategic Development and Property Subcommittee - 28 July 2022 Anchor Building - Responses to Request for Expressions of Interest for lease or sale	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 4.34p.m. and resumed in public session at 5.12p.m. at which time Councillors Brand and Lawrey had left the meeting.

Karakia Whakamutanga

17. Restatements

It was resolved while the public was excluded:

3 Event funding - Adam Chamber Music Festival 2024

Agrees that Report (R26921) and attachment (839498445-2768) be excluded from public release until contract negotiations are concluded.

4 Proposed acquisition of land for reserve in Nelson

Agrees that the report R27159 and the decision be made publicly available once a sale and purchase agreement becomes unconditional.

5 Recruitment of a Chief Executive

That the Council

- 1. Receives the report Recruitment of a Chief Executive (R27161) and its attachments (1982984479-4426, 1982984479-4429 and 1982984479-4425); and*
- 2. Approves the appointment of Hobson Leavy as the recruitment firm to assist the Council in the appointment of a new Chief Executive;*
- 3. Approves unbudgeted expenditure of up to \$120,000 for the Chief Executive Recruitment; and*
- 4. Appoints Her Worship the Mayor Reese, Deputy Mayor Edgar, Councillors Brand and Rainey, (with Councillor Courtney as alternate), a Te Tai Ihu recommended iwi representative and Annika Striefland as lead independent adviser to the Chief Executive Appointment Panel; and*
- 5. Notes that this Panel will dissolve at the end of triennium, 07 October 2022; and*
- 6. Recommends to the Council-elect that the incoming Mayor, incoming Deputy Mayor, two Councillors, the Te Tai Ihu iwi recommended representative and an independent adviser be appointed to the Chief Executive Appointment Panel; and*
- 7. Notes the overall timing, options/risk mitigation and next steps in the process to notify the successful recruitment firm and a Council briefing with the recruitment firm on the 29th August;*
- 8. Authorises the Chief Executive Appointment Panel to make any minor amendments to the timing of key milestones in the recruitment process to support best possible transparency and handover; and*
- 9. Agrees the Report (R27161) and its attachments (1982984479-4426, 1982984479-4429 and 1982984479-4425) remain confidential at this time; and*
- 10. Agrees that the Decision only be made publicly available.*

6 Nelmac Limited director remuneration 2022

Agrees that the decision be made publicly available once the 2022 Nelmac Annual General Meeting has taken place.

7 Recommendation from Committee:

Brook Valley Holiday Park Relocatable Home Park

Agrees that the Decision remain confidential at this time.

8 Recommendation from Committee:

CONFIDENTIAL: Anchor Building - Responses to Request for Expressions of Interest for lease or sale

Agrees that the Decision remain confidential at this time.

There being no further business the meeting ended at 5.12p.m..

Confirmed as a correct record of proceedings by resolution on 22 September 2022.

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 25 August 2022, as a true and correct record.***