



**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 4 April 2024, commencing at 9.05a.m.**

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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 Assistant Governance Adviser (A Bryce)

Apologies : Nil

**Karakia and Mihi Timatanga**

**1. Apologies**

**2. Confirmation of Order of Business**

His Worship the Mayor Hon Dr Smith advised that Items 12 and 13 would be moved in order for them to be completed during the morning session.

**3. Interests**

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

**4. Public Forum**

4.1. Allison Croft - Intergenerational Playgrounds

Document number R28463

Allison Croft spoke about intergenerational playgrounds, the benefits of teaching children to swing and adults exercising by swinging.

4.2. The Packaging Forum - To trial a soft plastic recycling scheme in Nelson

Document number R28468

Lyn Mayes, Soft Plastic Recycling Scheme Manager, and Rob Langford, Chief Executive, from The Packaging Forum spoke to a presentation (tabled 1982984479-7396) about a proposal to fund a trial of a soft plastic recycling scheme in Nelson this year and answered questions on the location of the Future Post plant, noting they were a key partner for delivering end of life options for soft plastics.

Attendance: Cr Benge joined the meeting via Zoom at 9.27a.m.

Mr Langford confirmed he had discussions with the Ministry for the Environment regarding compliance with national regulations and confirmed he was expecting the trial to run from July 2024.

**Attachments**

1 1982984479-7396 The Packaging Forum

**5. Confirmation of Minutes**

5.1 7 March 2024

Document number M20474, agenda pages 9 - 27 refer.

Resolved CL/2024/052

***That the Council***

- 1. Confirms the minutes of the meeting of the Council, held on 7 March 2024, as a true and correct record.***

Courtney/Brand

Carried

5.2 22 March 2024

Document number M20502, agenda pages 27 - 32 refer.

Resolved CL/2024/053

***That the Council***

- 1. Confirms the minutes of the meeting of the Council, held on 22 March 2024, as a true and correct record.***

Rollo/Hodgson

Carried

## 6. Strategic Presentation - Nelson Centre of Musical Arts

Document number R28253

Jan Trayes, Chair, James Donaldson, Director, and Alex Davidson, Trustee, of the Nelson Centre of Musical Arts (NCMA) provided a strategic overview.

Ms Trayes spoke about the NCMA's national and international reputation, hard working staff and successful festivals and the reality that they were struggling and their future was uncertain. She tabled her speaking notes (1982984479-7402).

James Donaldson spoke to the financial handout (tabled 1982984479-7397) previously circulated and answered questions on financial recovery, advising that a practical measure was to establish a separate Foundation Trust and also to explore subverting Council's first tier security over the facility (Council had first mortgage in respect of it's loan) to a second tier in order for NBS to take over the first tier.

His Worship the Mayor Hon Dr Smith noted that NCMA was a regional facility and asked for data on the number of students learning music at the facility that came from Tasman, and supported discussions with Tasman District Council to provide some financial input for the facility.

The meeting adjourned from 10.10a.m. until 10.20a.m.

### Attachments

- 1 1982984479-7397 Tabled Document Nelson Centre of Musical Arts
- 2 1982984479-7402 NCMA Speakers notes

## 7. Mayor's Report

Document number R28471

His Worship the Mayor Hon Dr Smith tabled his report, which had been circulated previously.

Resolved CL/2024/054

### ***That the Council***

- 1. Receives the report Mayor's Report (R28471).***

His Worship the Mayor/Sanson

Carried

### Attachments

- 1 1982984479-7395 Mayor's Report - tabled

**8. Tāhunanui Contaminated Site Remediation - request for unbudgeted expenditure**

Document number R28420, agenda pages 33 - 39 refer.

Group Manager Community Services, Andrew White, and Manager Parks and Facilities, Hannah Curwood, took the report as read and answered questions on community feedback, additional costs associated with temporarily armouring the contaminated material until the application to Ministry for the Environment for remediation support was confirmed, and advised the expectation was that the site would be remediated before the end of the calendar year.

Resolved CL/2024/055

***That the Council***

- 1. Receives the report Tāhunanui Contaminated Site Remediation - request for unbudgeted expenditure (R28420); and***
- 2. Approves up to \$85,000 of unbudgeted expenditure in FY 23/24 for ongoing erosion protection to contain the contaminated material and cost related to maintenance works, and***
- 3. Approves up to \$275,000 of unbudgeted expenditure in FY23/24 for planning, design and pre-construction work for the long-term remediation solution, and***
- 4. Notes that up to \$133,666 of the planning and design cost is expected to be claimed from Ministry for the Environment approved funding for planning and design.***

Rollo/Courtney

Carried

**9. Community Services Six Monthly Report - July 1 to Dec 31, 2023 (Agenda Item 13)**

Document number R28346, agenda pages 113 - 130 refer.

Group Manager Community Services, Andrew White, and Strategic Adviser, Martin Croft, presented the report.

Chief Executive, Nigel Philpott, Mr White and Manager Community Partnerships, Mark Preston-Thomas, answered questions on the archive project at Founders Heritage Park being put on hiatus along with the criteria for occupying a site and noise concerns. A workshop was requested to discuss future options for Founders Heritage Park.

Manager Parks and Facilities, Hannah Curwood, answered questions on the Nelmac maintenance contact and advised Nelmac had committed to bolstering personnel and monthly contract meetings were going well.

Resolved CL/2024/056

***That the Council***

- 1. Receives the report Community Services Six Monthly Report - July 1 to Dec 31, 2023 (R28346) and its attachment (200344844-474).***

His Worship the Mayor/Skinner

Carried

The meeting adjourned at 11.29a.m. and reconvened at 11.40a.m.

**10. Half Yearly Report and Draft Statement of Intent 2024/29 - The Suter Art Gallery Te Aratoi o Whakatū Trust (Agenda Item 12)**

Document number R28245, agenda pages 68 - 112 refer.

Strategic Adviser, Martin Croft, took the report as read and introduced Steve Green, Chair and Julie Catchpole, Director of the Suter Art Gallery Te Aratoi o Whakatū Trust.

Mr Green spoke about longer term issues of funding depreciation, HVAC system replacement and significant increases in insurance, interest and audit fees. He noted he had received advice from Tasman District Council (TDC) that after 10 years of flat funding \$87k per annum, from 2024/25 financial year they would enter into a three year funding agreement indexed to inflation.

Resolved CL/2024/057

***That the Council***

- 1. Receives the report Half Yearly Report and Draft Statement of Intent 2024/29 - The Suter Art Gallery Te Aratoi o Whakatū Trust (R28245) and its attachments (1511110536-976 and 1511110536-978); and***
- 2. Notes the delivery of the Draft Suter Art Gallery Te Aratoi o Whakatū Trust Statement of Intent 2024/2029 (1511110536-976) as required under the Local Government Act 2002; and***
- 3. Notes that the Suter Art Gallery Te Aratoi o Whakatū Trust Draft Statement of Intent 2024/2029 meets Council's expectations dated 16 February 2024***

His Worship the Mayor/O'Neill-Stevens

Carried

## 11. Review of Joint Waste Management and Minimisation Plan 2019

Document number R28409, agenda pages 40 - 50 refer.

Deputy Chief Executive/Group Manager Infrastructure, Alec Louverdis, and Waste Minimisation Adviser, Karen Lee, took the report as read. In reply to a question on why the Nelson Tasman Joint Waste Review Working Party proposed implementing a new plan, elected members were advised that considering factors such as primarily future proofing changes to national climate change legislation, iwi partnership and expected new legislation that a review and starting afresh involved the same amount of work.

Resolved CL/2024/058

### ***That the Council***

1. ***Receives the report Review of Joint Waste Management and Minimisation Plan 2019 (R28409) and its attachments (1399367370-7736 and 1399367370-9862); and***
2. ***Approves the recommendation of the Nelson Tasman Joint Waste Review Working Party to commence revoking and replacing the Nelson Tasman Joint Waste Management Plan; and***
3. ***Notes that the Strategy and Policy Committee of Tasman District Council approved on 7 March 2024 to commence revoking and replacing the Nelson Tasman Joint Waste Management Plan, subject to approval of the same decision by Nelson City Council; and***
4. ***Agrees that a draft replacement Nelson Tasman Joint Waste Management and Minimisation Plan be prepared for public consultation in 2025 in accordance with section 44 of the Waste Minimisation Act 2008; and***
5. ***Notes that the Nelson Tasman Joint Waste Management and Minimisation Plan 2019 remains in effect until such time that both councils adopt a new version.***

Stallard/Sanson

Carried

Councillor Skinner asked for his vote against the motion to be recorded.

## 12. Cat Bylaw

Document number R28419, agenda pages 51 - 57 refer.

Group Manager Environmental Management, Mandy Bishop, Environmental Programmes Adviser Richard Frizzel, and Team Leader

Biodiversity and Biosecurity, Phillip Cochrane, took the report as read noting minor editorial changes.

Ms Bishop answered questions on aligning with Tasman District Council and including desexing and microchipping in the Bylaw, advising it was important the draft bylaw consider comprehensive options for the community to comment on.

Attendance: His Worship the Mayor Hon Dr Smith left the meeting at 12.37p.m. at which time Deputy Mayor O'Neill-Stevens assumed the Chair.

Councillor Sanson, seconded by Councillor Paki Paki, moved an amended officer's motion to specifically include considering desexing and microchipping in the Cat Management Bylaw.

The meeting adjourned at 12.40p.m. and resumed at 1.38p.m. at which time His Worship the Mayor resumed the Chair.

Resolved CL/2024/059

***That the Council***

- 1. Receives the report Cat Bylaw (R28419); and***
- 2. Agrees to commence establishing a Cat Management Bylaw which considers desexing and microchipping.***

The motion was put and a division was called:

| <u>For</u>                | <u>Against</u> | <u>Abstained/Interest</u> |
|---------------------------|----------------|---------------------------|
| Cr Smith<br>(Chairperson) | Cr Skinner     |                           |
| Cr Anderson               |                |                           |
| Cr Bengé                  |                |                           |
| 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

**13. August 2022 Extreme Weather Event Recovery - Quarterly Update**

Document number R28318, agenda pages 58 - 67 refer.

Deputy Chief Executive/Group Manager Infrastructure, Alec Louverdis, took the report as read and answered questions on the progress of funding from NZTA Waka Kotahi.

Resolved CL/2024/060

***That the Council***

- 1. Receives the report August 2022 Extreme Weather Event Recovery - Quarterly Update (R28318) and its attachment (1590798627-1086); and***
- 2. Agrees that the August 2022 Extreme Weather Event Quarterly Recovery updates to Council be replaced by and reported through the six monthly Infrastructure updates to Council.***

His Worship the Mayor/Anderson

Carried

**14. Exclusion of the Public**

Resolved CL/2024/061

***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:***

Paki Paki/Skinner

Carried

| <b>Item</b> | <b>General subject of each matter to be considered</b>       | <b>Reason for passing this resolution in relation to each matter</b>     | <b>Particular interests protected (where applicable)</b>   |
|-------------|--|--|--|
| <b>1</b>    | <b>Council Meeting - Confidential Minutes - 7 March 2024</b> | Section 48(1)(a)<br>The public conduct of this matter would be likely to | The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(i)</li> </ul> |



| 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>result in disclosure of information for which good reason exists under section 7.</p>  | <p>To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <ul style="list-style-type: none"> <li>• Section 7(2)(b)(ii)<br/>To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</li> <li>• Section 7(2)(g)<br/>To maintain legal professional privilege</li> <li>• Section 7(2)(h)<br/>To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(a)<br/>To protect the privacy of natural persons, including that of a deceased person</li> </ul> |
| 2    | <p><b>Proposed Inner City Land Purchase and Sale</b></p> | <p>Section 48(1)(a)<br/>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"> <li>• Section 7(2)(h)<br/>To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i)<br/>To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including</li> </ul>   |

| Item | General subject of each matter to be considered | Reason for passing this resolution in relation to each matter   | Particular interests protected (where applicable)  |
|------|---|---|--|
|      |   |   | commercial and industrial negotiations)  |
| 3    | <b>Regulatory services</b>                      | Section 48(1)(a)<br>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"> <li>• Section 7(2)(h)<br/>To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i)<br/>To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul> |

The meeting went into confidential session at 2.05p.m. and resumed in public session at 3.45p.m.

## Karakia Whakamutanga

### 15. Restatements

It was resolved while the public was excluded:

#### 2 Recommendation from Committees

1.1 Joint Nelson Tasman Regional Transport Committee – 20 March 2024

1. *Approves terminating the Stoke On Demand service as part of the Public Transport contract effective as soon as practicably possible; and*
2. *Approves a permanent route change to Route 3 to specifically exclude the use of Toi Toi Street; and*
3. *Notes that officers will undertake the necessary communications to advise Nelson residents of these changes;*
4. *Agrees the decision be made publicly available.*

**3 Proposed Inner City Land Purchase and Sale**

*Agrees that the report R28424, its attachments and decision remain confidential at this time.*

**3 Regulatory services**

*Agrees that Report (R28454) and the decision remain confidential at this time to enable Council to negotiate without prejudice or disadvantage.*

There being no further business the meeting ended at 3.45p.m.

Confirmed as a correct record of proceedings by resolution on 2 May 2024

*That the Council*

- 1. Confirms the minutes of the meeting of the Council, held on 4 April 2024, as a true and correct record.*