



**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 5 September 2024, commencing at 9.02a.m.**

---

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

In Attendance: Acting Chief Executive (A Louverdis), Group Manager Environmental Management (M Bishop), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Senior Governance Adviser (A Andrews)

Kaumàtua: Luke Katu, Melanie McGregor

Apologies : Councillor T Skinner

**Karakia and Mihi Timatanga**

**1. Apologies**

**Apologies**

Resolved CL/2024/169

***That the Council***

1. ***Receives and accepts the apologies from Councillor Tim Skinner for attendance.***

Rollo/Paki Paki

Carried

## 2. Confirmation of Order of Business

The Chair advised Item 8: Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 - decision on Māori Ward was to be considered as the first substantial item followed by Item 7: Mayor's Report.

## 3. Interests

Councillor Paki Paki, as the incumbent Māori Ward Councillor, noted an interest on Item 8: Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 - decision on Māori Ward.

## 4. Public Forum

There was no public forum.

## 5. Confirmation of Minutes

### 5.1 1 August 2024

Document number M20677, agenda pages 14 - 22 refer.

Resolved CL/2024/170

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

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

His Worship the Mayor/Rollo

Carried

## 6. Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 - decision on Māori Ward (Agenda Item 8)

Document number R28659, agenda pages 87 - 97 refer.

Group Manager Strategy & Communications, Nicky McDonald, Kaihautu, Pania Lee and Manager Governance and Support Services, Devorah Nicuarta-Smith presented the report and provided an update from central government on other councils who had made the decision on Māori wards. They answered questions on the total number of councils in the country, the number of Māori wards in the country and Council's obligations under the Local Government Act 2002 and the Local Electoral Act 2001.

His Worship the Mayor Hon Dr Nick Smith noted Councillors Hodgson and Rainey had foreshadowed amendments if option 2 of the officers'

recommendation were the motion. He called for a mover and seconder in principle to enable progression.

Councillor Paki Paki moved in principle, seconded by Councillor O'Neill Stevens, the officers' recommendation option 2 with the exclusion of option 2a - "Noting that a poll of electors must then be undertaken concurrent with the 2025 triennial local election on whether a Māori ward should be established in Nelson, and that the results of that poll will be binding and apply for the 2028 and 2031 elections" - as this was a follow on action from the decision and understood.

Resolved in principle

*That the Council in principle*

1. *Receives the report Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 - decision on Māori Ward (R28659); and*
2. *Resolves under the transitional provisions of the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 to retain the Māori ward it established for electoral purposes since 2020;*

The in principle motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
Mayor Hon Dr Smith (Chairperson)	Nil	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 in principle motion was carried unanimously

Paki Paki/O'Neill-Stevens

The meeting was adjourned from 10.21a.m. until 10.30a.m.

Councillor Hodgson moved in principle, seconded by Councillor Brand, proforma to enable discussion, proposed additional clauses be added to the motion to request additional non-binding poll questions be included with 2025 local election voting documents, to inform the next representation review.

Ms McDonald and Ms Nicuarta-Smith answered questions on polls and the costs associated with them, the next representation review timelines, the most recent previous representation review and community engagement, future expenditure on representation reviews, estimated costs for future polls with additional questions and the cost of community engagement and promotions.

The in principle amendment was put and a division was called.

*That the Council in principle*

3. *Directs the Electoral Officer to [also] undertake a non-binding poll for all Nelson City Council electors alongside the 2025 triennial local election on potential representation arrangements, as allowed for by section 9 of the Local Electoral Act 2001 on the other key changes made in 2021 without a poll; notably the change from the election of all Councillors at large, to a mixed system of some by wards and some at large, and the change of voting system; and*
4. *Notes that undertaking a non-binding poll on representation arrangements will address the concern that the referendum on the Māori ward is discriminatory by also conducting a poll on the future of the general wards of Central and Stoke/Tāhunanui; and*
5. *Requests that the Deputy Electoral Officer, in consultation with the Electoral Officer, prepare a report for Council on the appropriate wording for the non-binding poll questions; and*
6. *Notes that the results of the non-binding poll on representation arrangements will help inform the representation review that Council is required to undertake in the next term; and*
7. *Notes that a neutral information sheet will be provided in the voting pack by the Electoral Officer, covering voting at large, wards and electoral systems; and*
8. *Agrees that \$50,000 extra funding will be set aside for the election project in the Annual Plan 2025/26 to allow the further questions to proceed; and*
9. *Notes that this council's preferred approach would be to treat all wards equally, requiring that any initiative to establish or disestablish a ward, or to change to a different electoral system, be subject to the outcome of a poll of electors.*

<u>For</u>	<u>Against</u>	<u>Apology</u>
Mayor Hon Dr Smith (Chairperson) Cr Hodgson	Cr Anderson Cr Benge Cr Brand Cr Courtney Cr O'Neill-Stevens	Cr Skinner

Cr Paki Paki  
Cr Rainey  
Cr Rollo  
Cr Sanson  
Cr Stallard

The amendment in principle was lost 2 - 10.

Hodgson/Brand

Lost

Attendance: His Worship the Mayor left the meeting at 11.04a.m at which time Deputy Mayor O'Neill-Stevens assumed the Chair.

Attendance: His Worship the Mayor returned to the meeting at 11.08a.m at which time he resumed the Chair.

The meeting was adjourned from 11.45a.m. until 11.50a.m.

Councillor Rainey, seconded by Councillor Sanson, moved an amendment in principle to request a report on legal implications of not proceeding with a poll on the Māori war alongside the next election.

Ms McDonald explained the significant staff cost associated with the request and answered questions on Council's obligation to fund actions that must be carried out by the Electoral Officer.

*That the Council*

- 3. Requests the Chief Executive to report back on the implications of Nelson City Council refusing to hold a referendum on the question of a Māori Ward at the 2025 local election*

The amendment in principle was put and a division was called:

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

The amendment in principle was carried 7 - 5.

Rainey/Sanson

Carried

The substantive in principle motion was put and carried.

Resolved CL/2024/171 That the Council

- 1. Receives in principle the report Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 - decision on Māori Ward (R28659); and***
- 2. Resolves under the transitional provisions of the Local Government (Electoral Legislation and Māori Wards and Māori***

***Constituencies) Amendment Act 2024 to retain the Māori ward it established for electoral purposes since 2020;***

- 3. *Requests the Chief Executive to report back on the implications of Nelson City Council refusing to hold a referendum on the question of a Māori Ward at the 2025 local election***

Paki Paki/O'Neill-Stevens

Carried

## **7 Mayor's Report**

Document number R28772, agenda pages 23 - 86 refer.

Strategic Adviser Infrastructure, Mark Macfarlane and Chair of the former Right Tree Right Place Taskforce, Dr Morgan Williams, presented the report, tabled a map of Maitai Valley Planting (340448201-6725) and spoke on various matters relating to plantings. Dr Williams answered questions on the reasons behind the taskforce not recommending planting native plants in all designated areas, erosion control, opportunities to secure native plants at a lower price, taskforce recommendations and mixed species forests. Dr Williams in reply to a question, noted that the officer recommendations re redwood planting in the Maitai was not inconsistent with the Taskforce recommendations.

The meeting was adjourned from 12.38p.m. until 12.46p.m.

The motion was taken in parts

Resolved CL/2024/172

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

- 8. *Adopts the Terms of Reference for the Sister Cities and International Visitors Co-ordinating Group (1118544611-7861), which replaces the Sister City Coordinating Group Procedures and Protocol (839498445 - 14252); and***
- 9. *Acknowledges and thanks Gail Collingwood for her dedicated voluntary service to the Sister City Coordinating Group since 2013 and her previous long service as a Councillor and Deputy Mayor, which included extensive work developing and supporting our sister cities; and***
- 10. *Appoints Councillor Trudie Brand as the Chair of the Sister Cities and International Visitors Co-ordinating Group.***

His Worship the Mayor/Rollo

Carried

Resolved CL/2024/173

***That the Council***

- 1. Receives the report Mayor's Report (R28772) and its attachments (1118544611-7862, 1118544611-7861, 839498445-14252, 1118544611-7854, 1118544611-7855, 1118544611-7853);***

His Worship the Mayor/Rollo

Carried

The meeting was adjourned from 12.51p.m. until 12.55p.m.

His Worship the Mayor, seconded by Councillor Brand moved the remaining clauses of the Mayor's Report recommendations.

*That the Council*

- 2. Establishes the Forestry Transition Working Group to provide governance oversight on the implementation of Council's decisions in relation to its transition from commercial forests to amenity forests; and*
- 3. Adopts the amended tabled Forestry Transition Working Group Terms of Reference (1118544611-7862); and*
- 4. Appoints to the Forestry Transition Working Group His Worship the Mayor Hon Dr Nick Smith (Chair), and Councillors Matthew Benge, Trudie Brand, James Hodgson, Kahu Paki Paki, Rachel Sanson and Aaron Stallard; and*
- 5. Recommends that the Chief Executive bring forward the appointment of a Forest Systems Manager to lead the transition work; and*
- 6. Notes that the Forest Systems Manager role will be funded from the Forests Account and that the Forestry Transition Working Group will be consulted about the job description for the role;*

Councillor Sanson, seconded by Councillor Benge put an amendment including further changes to the Terms of Reference noting that it would achieve better governance oversight over Council's forestry work.

His Worship the Mayor/Brand

*That the Council*

- 2. Establishes the Forestry Transition Working Group to provide governance oversight on the implementation of Council's decisions in relation to its transition from commercial forests to amenity forests; and*

3. *Adopts the further amended Forestry Transition Working Group Terms of Reference (1118544611-7862); and*
4. *Appoints to the Forestry Transition Working Group His Worship the Mayor Hon Dr Nick Smith, (Chair), and Councillors Matthew Benge, Rachel Sanson, Aaron Stallard, Kahu Paki Paki, Trudie Brand and James Hodgson; and*
5. *Recommends that the Chief Executive bring forward the appointment of a Forest Systems Manager to lead the transition work; and*
6. *Notes that Council is moving away from commercial forestry and is employing a whole-of-forest approach with a focus on the regeneration of the existing 10,000ha of indigenous forest as well as newly planted forest, prioritising biodiversity, recreation and ecosystem health throughout the transition; and that the Forestry Transition Working Group will provide guidance about the job description for the role of Forest Systems Manager*

The item was adjourned at 1.05p.m. at which time the meeting moved into Confidential session

## **8 Exclusion of the Public**

External Adviser, Melisa Kappely from Intepeople, was in attendance for Item 3 of the Confidential Agenda (Chief Executive Employment Committee Recommendation to Council - CE Remuneration Review) to answer questions and, accordingly, the following resolution was required to be passed:

Recommendation

Resolved CL/2024/174

### **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 External Adviser, Melisa Kappely from Intepeople remain after the public has been excluded, for Item 3 of the Confidential agenda (Chief Executive Employment Committee Recommendation to Council - CE Remuneration Review), as she has knowledge relating to the Chief Executive's employment that will assist the meeting.***

Rollo/Paki Paki

Carried



Resolved CL/2024/175

***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:***

Rollo/Paki Paki

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 - 1 August 2024</b>	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"> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> <li>• Section 7(2)(c)(ii) 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 otherwise to damage the public interest</li> </ul>
<b>2</b>	<b>Recommendations from Committees</b>		
	<b>Chief Executive Employment</b>	Section 48(1)(a) The public conduct of this matter would be	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(a)</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><b>Committee - 7 August 2024</b> Chief Executive Performance Assessment Report 2024</p>	likely to 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
	<p><b>Chief Executive Employment Committee - 7 August 2024</b> Draft 2024/2025 Chief Executive Performance Agreement</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	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
3	<p><b>Chief Executive Employment Committee Recommendation to Council - CE Remuneration Review</b></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	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
4	<p><b>Housing Reserve Grant Applications</b></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	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
5	<p><b>Board Remuneration - The Suter Art Gallery Te Aratoi o Whakatū Trust, Nelson Regional Development Agency, Nelmac Limited and Nelson Marina Management Limited</b></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	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) 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 1.05p.m. and resumed in public session at 2.25p.m. at which time it returned to item 7.

## **9. Mayor's Report reconvened (Agenda Item 7)**

The motion and amendment were discussed and an adjournment was taken to give Council officers time to compile a document which included all proposed changes and amendments.

Item adjourned at 2.30p.m. to consider Item 6.

## **10. Recommendations from Committees (Agenda Item 6)**

### **10.1 Nelson Regional Sewerage Business Unit - 2 August 2024**

#### **10.1.1 NRSBU General Manager Update Report August 2024**

Recommendation to Council CL/2024/176

***That the Nelson City Council and Tasman District Council***

- 1. Adopts the final Nelson Regional Sewerage Business Unit 2024 – 2034 Activity Management Plan (1080325921-753).***

His Worship the Mayor/Paki Paki

Carried

### **10.3 Consultation Panel - 15 August 2024**

#### **10.3.1 Activities in Public Places Deliberations Report**

Recommendation to Council CL/2024/177

***That the Council***

- 1. Adopts the amended Commercial Occupation Policy (839498445-18767) and the Licence Fee Schedule (839498445-18517); and***
- 2. Notes that:***
  - a. the recommended amendments to the Urban Environments Bylaw in Attachment 2 of report R28586 in relation to sandwich boards, the definition of "occupy" and clause 6.10, differ from the proposed amendments in the Statement of Proposal; and***
  - b. the recommended amendments to the Urban Environments Bylaw in Attachment 2 of report RR28586 respond to views presented on the proposed amendments in the Statement of Proposal; and***

3. **Agrees that the recommended amendments to the Urban Environments Bylaw in Attachment 2 of report R28586 in relation to sandwich boards, the definition of "occupy" and clause 6.10:**
  - a. **do not require additional consultation; and**
  - b. **are within the scope of decisions that can be taken following consideration of views presented on the Statement of Proposal; and**
4. **Determines, following consideration of submissions, that the amendments to the Urban Environments Bylaw as shown in Attachment 2 of report (R28745) are the most appropriate way of addressing the perceived problems; are the most appropriate form of amendments to the Bylaw and do not give rise to any implications under the New Zealand Bill of Rights Act 1990; and**
5. **Adopts the amendments to the Urban Environments Bylaw (839498445-18785) ; and**
6. **Determines that the amendments to the Urban Environments Bylaw will commence on 12 September 2024; and**
7. **Notes under section 80 of the Local Government Act, that clause 5.18 of the amended Urban Environments Bylaw (839498445-18785) which relates to the display of sandwich boards:**
  - a. **is inconsistent with the Nelson Resource Management Plan Rule AP20r.2.1.i which sets the permitted activity conditions for the location of signs; and**
  - b. **the reason for the inconsistency is that amending the Bylaw to align with the Nelson Resource Management Plan now, in the current economic climate, is likely to add to the financial pressures already being experienced by local Nelson businesses; and**
8. **That staff are considering whether the relevant section of the Nelson Resource Management Plan (Rule AP20r.2.1.i) needs to be amended to accommodate the decision in relation to the Urban Environments Bylaw and when any proposed amendment to the Nelson Resource Management Plan could be progressed.**

Rollo/Benge

Carried

## **10.2 Nelson Tasman Regional Landfill Business Unit - 16 August 2024**

### 10.2.1 Nelson Tasman Regional Landfill Business Unit General Manager Update Report August 2024

Recommendation to Council CL/2024/178

***That the Nelson City Council and Tasman District Council***

- 1. Adopts the final Nelson Tasman Regional Landfill Business Unit 2024 – 2034 Activity Management Plan (1399367370-8789).***

Rollo/Paki Paki

Carried

### 10.2.2 Nelson Tasman Regional Landfill Business Unit Annual Report 2023 -2024

Recommendation to Council CL/2024/179

***That the Nelson City Council and Tasman District Council***

- 1. Receives the Nelson Tasman Regional Landfill Business Unit Annual Report 2023 -2024 and its Attachments (1399367370-10513 and 749984575-1602).***

Courtney/Stallard

Carried

## **11. Mayor's Report reconvened (Agenda Item 7)**

### **Extension of Meeting Time**

Resolved CL/2024/180

***That the Council***

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

His Worship the Mayor/Courtney

Carried

Attendance: Councillor Rainey joined the meeting via zoom at 3.00p.m.

With the agreement of the meeting, and the mover and the seconder, the amendment was updated to reflect further clarification, and was put.

Resolved CL/2024/181

***That the Council***

2. ***Establishes the Forestry Transition Working Group to provide governance oversight on the implementation of Council's decisions in relation to its transition from commercial forests to amenity forests; and***
3. ***Adopts the further amended tabled Forestry Transition Working Group Terms of Reference (1982984479-8232); and***
4. ***Appoints to the Forestry Transition Working Group His Worship the Mayor Hon Dr Nick Smith (Chair), and Councillors Matthew Benge, Trudie Brand, James Hodgson, Kahu Paki Paki, Rachel Sanson and Aaron Stallard; and***
5. ***Recommends that the Chief Executive bring forward the appointment of a Forest Systems Manager to lead the transition work; and***
6. ***Notes that Council is moving away from commercial forestry and is employing a whole-of-forest approach with a focus on the regeneration of the existing 10,000ha of indigenous forest as well as newly planted forest, taking into account biodiversity, recreation, ecosystem health, realistic costs and mitigating major risks throughout the transition; and***
7. ***Confirms that the Forestry Transition Working Group will provide guidance about the job description for the role of Forest Systems Manager***

The agreed motion was put and a division was called:

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

The motion was carried 12 – 0.

Sanson/Benge

Carried

**Attachments**

- 1 1982984479-8231 Terms of Reference Forestry Transition Working Group 2024 - Mayor Hon Dr Nick Smith
- 2 1982984479-8232 Amended Terms of Reference - Forestry Transition Working Group 2024 - Cr Rachel Sanson
- 3 340448201-6725 GIS - Forestry - Maitai Valley Planting

Attendance: Councillor Rainey left the meeting at 3:33p.m.

**12. Amendment to the Policy on Development Contributions 2024 (Agenda Item 9)**

Document number R28655, agenda pages 98 - 103 refer.

The meeting adjourned from 3.43p.m. until 3.48pm

Group Manager Environmental Management, Mandy Bishop and Senior City Development Adviser, Martin Kozinsky took the report as read and answered questions on community housing.

Resolved CL/2024/182

***That the Council***

1. ***Receives the report Amendment to the Policy on Development Contributions 2024 (R28655) and its attachment (336940202-11407); and***
2. ***Approves the amendment to the Policy on Development Contributions 2024 (336940202-11407) to the glossary definition of social housing, as outlined in section 5.9 of this report (R28655), to read "Housing developments undertaken by a Community Housing Provider that is registered with the Community Housing Regulatory Authority or developments that deliver a similar housing outcome. Social housing providers exempt from DCs are outlined in section 7.1 of this Policy".***

O'Neill-Stevens/Brand

Carried

**13. The Effectiveness of the Compliance Strategy 2020 (Agenda Item 10)**

Document number R28669, agenda pages 104 - 107 refer.

Group Manager Environmental Management, Mandy Bishop and Manager Consents and Compliance, Chris Miles took the report as read and answered questions on frequency of reviews and level of enforcement of the bylaws (e.g. Freedom Camping Bylaw), assessing and measuring compliance.

Resolved CL/2024/183

***That the Council***

- 1. Receives the report The Effectiveness of the Compliance Strategy 2020 (R28669) and its attachment (756385493-50372); and***
- 2. Notes the Long Term Plan performance measure requiring an annual review of the effectiveness of the Strategy has been removed from the 2024-2034 Long Term Plan and the Compliance Strategy will now be reviewed in 2025, then as required after that.***

Sanson/Courtney

Carried

**14. Proposed Draft Cat Management Bylaw (Agenda Item 11)**

Document number R28725, agenda pages 108 - 130 refer.

Group Manager Environmental Management, Mandy Bishop and Environmental Programmes Adviser, Richard Frizell, took the report as read and highlighted that a Section 5.10 would be added and the Options Table would be removed from the Statement of Proposal which would bring it in line with Tasman District Council's Cat Management Bylaw.

Resolved CL/2024/184

***That the Council***

- 1. Receives the report Proposed Draft Cat Management Bylaw (R28725) and its attachment (596364813-11766) which includes the Statement of Proposal and the Draft Cat Management Bylaw, reasons for the proposal and the determinations required by section 155 of the LGA02; and***
- 2. Determines that the Proposed Draft Cat Management Bylaw is the most appropriate way to address the perceived problems related to the keeping of cats; it is the most appropriate form of Bylaw and any limits on rights under the New Zealand Bill of Rights 1990 are reasonable and proportional, for the reasons set out in this report (R28725); and***



3. ***Approves the commencement of the special consultative procedure on the Proposed Draft Cat Management Bylaw in Attachment 1 (596364813-11766) to run from 9 September to 9 October 2024; and***
4. ***Adopts the amended 'Statement of Proposal for a Cat Management Bylaw' in Attachment 1 (596364813-11766)) for use in this special consultative procedure; and***
5. ***Agrees a summary of the Statement of Proposal information is not necessary to enable public understanding of the proposal; and***
6. ***Delegates the hearing and deliberations process in relation to submissions on this proposal to a Consultation Panel of elected members, who will make recommendations to the Council on those submissions; and***
7. ***Appoints a Consultation Panel to Hear and Deliberate on the Draft Cat Management Bylaw consisting of:***
  - ***Councillor Matty Anderson (Chairperson)***
  - ***Councillor Mathew Bengé***
  - ***Councillor Rachel Sanson***
8. ***Approves the consultation approach set out in section 6.5 of Report R28725 and agrees:***
  - (a) ***The approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
  - (b) ***The approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation***

Sanson/Anderson

Carried

**15. Nelson School of Music Trust: Memorandum of Understanding (Agenda Item 12)**

Document number R28663, agenda pages 131 - 141 refer.

Group Manager Community Services, Andrew White and Strategic Adviser Community Services, Martin Croft took the report as read and answered questions on the Memorandum of Understanding (MOU) approach with other Council Organisations or Council Controlled Organisations, the process of the MOU and duration of the funding.

Resolved CL/2024/185

***That the Council***

- 1. Receives the report Nelson School of Music Trust: Memorandum of Understanding (R28663) and its attachment (1511110536-1100); and***
- 2. Approves the Memorandum of Understanding between Nelson School of Music Trust trading as Nelson Centre of Musical Arts (NCMA) and Nelson City Council, delegating His Worship the Mayor to sign on behalf of Council; and***
- 3. Delegates His Worship the Mayor and Chief Executive to make any necessary minor editorial amendments prior to signing.***

Brand/Courtney

Carried

**16. Gambling Venue Policy Review 2024 (Agenda Item 13)**

Document number R28718, agenda pages 142 - 161 refer.

Group Manager Strategy & Communications, Nicky McDonald and Policy Adviser, Ailish Neyland took the report as read and answered questions on the cost to undertake a special consultation, implications of option 2 and representation within the engagement.

Resolved CL/2024/186

***That the Council***

- 1. Receives the report Gambling Venue Policy Review 2024 (R28718) and its attachment (839498445-8131); and***
- 2. Notes that a review of Council's Gambling Venue Policy (839498445-8131), which is required under the Gambling Act 2003 and Racing Industry Act 2020, has been undertaken and is outlined in this report; and***

**3. Option 1:**

- a. ***Agrees that the result of the review is that no change is needed to the current Gambling Venue Policy 2018 (839498445-8131); and***
- b. ***Determines that no further consultation or engagement on the decision to retain the current Gambling Venue Policy 2018 with no changes is required.***

His Worship the Mayor/Rollo

Carried

**17. Update to Nelson City Council Standing Orders (Agenda Item 14)**

Document number R28757, agenda pages 162 - 172 refer.

Group Manager Strategy & Communications, Nicky McDonald and Team Leader Governance, Robyn Byrne, took the report as read and explained the report allows clauses amended in the standing orders to include quorum through audio visual link.

Resolved CL/2024/187

***That the Council***

1. ***Receives the report Update to Nelson City Council Standing Orders (R28757) and its attachment (1373411589-1729); and***
2. ***Updates Nelson City Council Standing Orders sections 11 and 13 outlined in clauses 4.6 – 4.7 of Report R28757 to allow for members joining a meeting remotely to be counted as quorum; and***
3. ***Adopts Nelson City Council Standing Orders, effective from 01 October 2024.***

His Worship the Mayor/Paki Paki

Carried

**18. Infrastructure Activity Management Plans 2024-2034 (Agenda Item 15)**

Document number R28428, agenda pages 173 - 180 refer.

Strategic Adviser Infrastructure, Mark Macfarlane and Manager Utilities Activity Management, Phil Ruffell took the report as read and answered questions on Activity Management Plans (AMPs) at the end of the Long Term Plan 2034 and risks and challenges of AMPs in the next few years.

Resolved CL/2024/188

***That the Council***

1. ***Receives the report Infrastructure Activity Management Plans 2024-2034 (R28428) and its attachments (1833911234-1363, 1833911234-1364, 1833911234-1365, 1833911234-1366, 1833911234-1367 and 1833911234-1385); and***
2. ***Adopts the revised Infrastructure Activity Management Plans***
  - a. ***Wastewater (1833911234-1391),***
  - b. ***Water Supply (1833911234-1392),***
  - c. ***Stormwater (1833911234-1390),***
  - d. ***Flood protection (1833911234-1389),***
  - e. ***Transport (1833911234-1388), and***
  - f. ***Solid Waste (1833911234-1394).***
3. ***Delegates authority to His Worship the Mayor and Chief Executive to approve any minor amendments required to the documents prior to the public release of the Infrastructure Activity Management Plans.***

His Worship the Mayor/Brand

Carried

**Karakia Whakamutanga**

**19. Restatements**

It was resolved while the public was excluded:

**2.1.1 Recommendation from Committee:**

**CONFIDENTIAL: Chief Executive Performance Assessment Report 2024**

*That the Council*

1. *Confirms the Chief Executive's Performance Rating outcome for the 12-month period to June 2024:*  
*KPI 1 is Achieved/Exceeded*  
*KPI 2 is Achieved*  
*KPI 3 is Exceeded*  
*With the overall rating of Achieved/Exceeded; and*
2. *Notes the Performance Rating is a factor when considering the Chief Executive's fixed remuneration for 2024/2025 year; and*
3. *Agrees that the decision be made publicly available.*

**2.1.2 Recommendation from Committee:**

**CONFIDENTIAL: Draft 2024/2025 Chief Executive Performance Agreement**

*That the Council*

1. *Approves the recommendation to adopt the Chief Executive's Performance Agreement for 2024/2025 (1809402794-1209); and*
2. *Agrees that the decision and Attachment 1809402794-1209 be made publicly available.*

**3 CONFIDENTIAL: Chief Executive Employment Committee Recommendation to Council - CE Remuneration Review**

3. *Agrees that Report (R28746), decision and Attachment (1982984479-8050) remain confidential*

**4 CONFIDENTIAL: Housing Reserve Grant Applications**

8. *Agrees that Report R28712, attachments (336940202-11386, 336940202-11904 and 336940202-11903), and decision be made publicly available following completion of negotiations.*

**5 CONFIDENTIAL: Board Remuneration - The Suter Art Gallery Te Aratoi o Whakatū Trust, Nelson Regional Development Agency, Nelmac Limited and Nelson Marina Management Limited**

6. *Agrees that the decision be made publicly available following the Annual General Meetings for the Suter Art Gallery Te Aratoi o Whakatū Trust, Nelson Regional Development Agency and Nelmac Limited, and after the Chair and Directors have been informed at Nelson Marina Management Limited.*

There being no further business the meeting ended at 4.56p.m.

Confirmed as a correct record of proceedings by resolution on 10 October 2024.

Resolved

**That the Council**

1. **Confirms the minutes of the meeting of the Council, held on 5 September 2024, as a true and correct record.**