



**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 10 October 2024, commencing at 9.02a.m.

Present: His Worship the Mayor N Smith (Chairperson), Councillors M Anderson, M Bengé, T Brand, M Courtney, 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), Acting Group Manager Community Services (M Croft), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Senior Governance Adviser (A Andrews)

Apologies : Councillor J Hodgson

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2024/196

That the Council

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

His Worship the Mayor/Courtney

Carried

2. Confirmation of Order of Business

His Worship the Mayor advised that the order of business would be adjusted to accommodate presentations from external organisations.

Item 8: The Suter Art Gallery Te Aratoi o Whakatū Trust Strategic Presentation to be taken before Item 7: Mayor's Report.

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 5 September 2024

Document number M20738, agenda pages 4 - 24 refer.

Resolved CL/2024/197

That the Council

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

Courtney/Rollo

Carried

6. Recommendations from Committees

6.1 Audit, Risk and Finance Committee - 18 September 2024

6.1.1 Carry Forwards - 2023/24 for Approval

Group Manager Infrastructure, Alec Louverdis answered questions on the capacity and risks of delivering the infrastructure capital works programme with the anticipated budget carry forwards.

Recommendation to Council CL/2024/198

That the Council

- 1. Approves the net capital carry forward of \$12 million –\$12.3 million net to 2024/25 and \$250,000 back from 2025/26; and**
- 2. Notes that the net capital carry forward is in addition to the net capital carry forward of \$24.2 million approved during the Long Term Plan 2024/34 process, taking the total carry forward to \$36.3 million of which \$34.1 million is for the 2024/25 year and \$1.4 million is for the 2025/26 year; and \$500,000 is for the 2026/27 year and \$300,000 is for the 2029/30 year; and**

3. **Notes the savings and reallocations in 2023/24 capital expenditure of \$3.4 million including staff time which is in addition to the \$0.7 million savings and reallocations already recognised in the May 2024 Long Term Plan 2024/34 deliberations; and**
4. **Notes that the total 2024/25 capital budget (including staff costs and Aug 2022 severe weather event related budgets and excluding consolidations, vested assets and scope adjustment) will be adjusted by these resolutions from a total of \$107.1 million to a total of \$119.3 million; and**
5. **Approves net capital grants carried forward of \$628,000 to align with the timing of capital expenditure budgets; and**
6. **Approves capital grant budget of \$4.1 million of Crown funding for slip effected property purchases to be carried back to 2023/24 to align with the accrual of that income that has been made for our Annual Report 2023/24; and**
7. **Approves the carry forward of \$612,000 unspent operating expenditure budget to 2024/25, accompanied by \$567,000 of operating grant funding budget.**

Sanson/Courtney

Carried

6.2 Nelson Tasman Regional Landfill Business Unit - 16 August 2024

6.2.1 Nelson Tasman Regional Landfill Business Unit Draft Business Plan 2025/26

Resolved CL/2024/199

That the Nelson City Council and Tasman District Council

1. **Receives the Nelson Tasman Regional Landfill Business Unit Draft Business Plan 2025/2026 (1399367370-10512) for review and provide feedback to the Nelson Tasman Regional Landfill Business Unit, if required.**

Courtney/Stallard

Carried

6.3 Nelson Regional Sewerage Business Unit - 20 September 2024

6.3.1 Nelson Regional Sewerage Business Unit Draft Business Plan 2024/25

Recommendation to Council CL/2024/200

That the Nelson City and Tasman District Council

- 1. Receives the Nelson Regional Sewerage Business Unit Draft Business Plan 2024-25 for review and provide feedback to the Nelson Regional Sewerage Business Unit, if required.**

Skinner/Paki Paki

Carried

6.3.2 Nelson Regional Sewerage Business Unit - Annual Report Summary 2023/24

Recommendation to Council CL/2024/201

That the Nelson City Council and Tasman District Council

- 1. Receives the Nelson Regional Sewerage Business Unit Annual Report 2023/24 and Nelson Regional Sewerage Business Unit Financial Statements 2023/24.**

Skinner/Paki Paki

Carried

7. The Suter Art Gallery Te Aratoi o Whakatū Trust Strategic Presentation (Agenda Item 8)

Document number R28715

Director, Julie Catchpole, and Chair of the Suter Art Gallery Te Aratoi o Whakatū Trust, Steve Green spoke to the presentation (tabled). They answered questions on their years of service, "learning outside of classroom" funding and its services and operational expenditure.

Attachments

- 1 Suter Art Gallery Strategic Presentation

8. Mayor's Report (Agenda Item 7)

Document number R28828, agenda pages 44 - 58 refer.

His Worship the Mayor took the report as read. He answered questions on his work with the Transport Revenue Stakeholder Group and its scope.

Resolved CL/2024/202

That the Council

- 1. Receives the Mayor's Report (R28828) and its attachments; and**

2. **Requests officers engage with the Ministry of Housing and Urban Development, iwi, stakeholders and Tasman District Council about the establishment of a place-based housing partnership in the Nelson-Tasman region and report back to a future Council meeting detailing potential benefits, options and a recommended way forward; and**
3. **Approves bringing forward a portion of the funding for Council/Mayoral Sister City Visits from 2025/26 to 2024/25 to support up to \$2,500 or one third of the receipted costs, whichever is the lesser, of the Mayor's visit in October 2024 to Nelson's sister cities of Huangshi and Yangjiang.**

Skinner/Rollo

Carried

The meeting adjourned from 10.21am until 10.31am.

9. Receipt of the Nelson Regional Development Agency's Annual Report 2023/24

Document number R28765, agenda pages 59 - 121 refer.

Chief Executive, Fiona Wilson, Chair of the NRDA Board, Sarah-Jane Weir, and Finance & Commercial Manager, Toni Power spoke to their presentation (tabled). They answered questions about cruise ship bookings for the summer, the need for a facility at the port to receive and orient tourists disembarking off cruise ships and food and beverage promotional work.

Resolved CL/2024/203

That the Council

1. **Receives the report Receipt of the Nelson Regional Development Agency's Annual Report 2023/24 (R28765) and its attachment; and**
2. **Receives the Nelson Regional Development Agency's Annual Report 2023/24 (Attachment 1) as required under the Local Government Act 2002.**

His Worship the Mayor/O'Neill-Stevens

Carried

Attachments

- 1 NRDA Annual Report Presentation

10. Approval to bring forward budget - Infrastructure Acceleration Fund Bridge to Better projects

Document number R28781, agenda pages 122 - 127 refer.

Group Manager Infrastructure, Alec Louverdis spoke to the report and highlighted the benefits of bringing budget forward into the current financial year to undertake some physical works ahead of the wider Bridge to Better project to limit disruption to the inner city and to get the benefit of a buoyant construction market.

Resolved CL/2024/204

That the Council

- 1. Receives the report Approval to bring forward budget - Infrastructure Acceleration Fund Bridge to Better projects (R28781); and**
- 2. Approves bringing forward budget (part of the Infrastructure Acceleration Fund - Bridge to Better) of \$1,226,500 from 2025-26 and \$2,659,800 from 2026-27 to 2024-25 to allow the tender and award of the water ring main works to proceed ahead of schedule; and**
- 3. Approves bringing forward budget (part of the Infrastructure Acceleration Fund - Bridge to Better) of \$335,500 from 2025-26 to 2024-25 to allow the Flood Gate Upgrade works to proceed ahead of schedule.**

His Worship the Mayor/O'Neill-Stevens

Carried

The meeting adjourned from 11.33am until 11.41am.

11. Local Water Done Well - Service Delivery Options

Document number R28752, agenda pages 128 - 136 refer.

Group Manager Infrastructure, Alec Louverdis and Manager Utilities Activity Management, Phil Ruffell took the report as read. They answered questions on the water treatment plant, activity management plans, legal requirements under the Act and consultation with the public.

Resolved CL/2024/205

That the Council

- 1. Receives the report Local Water Done Well - Service Delivery Options (R28752); and**
- 2. Determines that models for delivery of water services for Nelson are:**
 - a. Remain with the existing approach for delivering water services; or**

- b. **Establishing or joining a water services council-controlled organisation – either (A) alone or (B) with other council(s); or**
 - c. **Establishing or joining a joint local government arrangement under section 137 of the Local Government act 2002; and**
- 3. **Adopts Model a. (Remain with the existing approach for delivering water services) as the preferred model for the proposal for consultation with the community; and**
 - 4. **Directs staff to prepare a consultation statement of proposal for this option - to be brought to Council in a future report with details of the proposed consultation.**

Skinner/Brand

Carried

12. Adoption of the amended Tasman-Nelson Regional Pest Management Plan 2019-2029

Document number R28743, agenda pages 137 - 313 refer.

Group Manager Environmental Management, Mandy Bishop, Environmental Programmes Adviser, Richard Frizzell and Team Leader – Biosecurity & Biodiversity, Tasman District Council, Guinny Coleman took the report as read. They answered questions on pest control timeline, pampas grass, wilding pines, and feral and stray cats.

Resolved CL/2024/206

That the Council, acknowledging Tasman District Council prior approval,

- 1. **Receives the report Adoption of the amended Tasman-Nelson Regional Pest Management Plan 2019-2029 (R28743) and its attachments; and**
- 2. **Confirms that it is satisfied that there has been sufficient consultation on the draft Tasman-Nelson Regional Pest Management Plan 2019-2029, in accordance with Section 72 of the Biosecurity Act 1993; and**
- 3. **Agrees that the draft Tasman-Nelson Regional Pest Management Plan 2019-2029 specifies the matters listed in Section 73(3) of the Biosecurity Act 1993 and complies with Section 73 of the Biosecurity Act 1993; and**
- 4. **Confirms that it is satisfied that the draft Tasman-Nelson Regional Pest Management Plan 2019-2029 meets the requirements of Section 74 of the Biosecurity Act 1993**

(including not being inconsistent with the National Policy Direction); and

- 5. Adopts the amended Tasman-Nelson Regional Pest Management Plan 2019-2029 (NDOCS-596364813-11862); and**
- 6. Agrees to notify submitters and the public of its decision on the Tasman-Nelson Regional Pest Management Plan 2019-2029, in accordance with Section 75(4) of the Biosecurity Act 1993, via its website, following adoption of the Tasman-Nelson Regional Pest Management Plan 2019-2029 by both Councils; and**
- 7. Delegates authority to the His Worship the Mayor of Tasman District Council and Chief Executive of Tasman District Council to make minor edits to the finalised Tasman-Nelson Regional Pest Management Plan 2019-2029 prior to it being made publicly available.**

Sanson/Benge

Carried

13. Approval to consult on Dangerous, Affected and Insanitary Buildings Policy

Document number R28696, agenda pages 314 - 371 refer.

Group Manager Environmental Management, Mandy Bishop, and Structural Engineer, Bruce Mutton took the report as read. They answered questions on the process of identifying such buildings, inclusion of residential buildings in the policy and implications for squatters.

Resolved CL/2024/207

That the Council

- 1. Receives the report Approval to consult on Dangerous, Affected and Insanitary Buildings Policy (R28696) and its attachments; and**
- 2. Approves consultation using the Special Consultative Procedure on the proposed amended Dangerous, Affected and Insanitary Buildings Policy; and**
- 3. Approves the Statement of Proposal and its attachment the proposed amended Dangerous, Affected and Insanitary Buildings Policy for consultation; and**
- 4. Approves that a summary of the Statement of Proposal is not necessary for the public to understand the proposed Dangerous, Affected and Insanitary Buildings Policy; and**

- 5. Delegates to a Consultation Panel to hear and deliberate on submissions to the amended Dangerous, Affected and Insanitary Buildings Policy, and recommend a decision to Council; and**
- 6. Appoints the following Elected Members to the Consultation Panel - amended Dangerous, Affected and Insanitary Buildings Policy**
 - a. Councillor Tim Skinner (Chair)**
 - b. Councillor Trudie Brand; and**
 - c. Councillor Campbell Rollo**
- 7. Approves the consultation approach (set out in sections 5.5 to 5.10 of this report R28696) 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.**
- 8. Authorises His Worship the Mayor and Chief Executive to approve minor editorial changes.**

His Worship the Mayor/Skinner

Carried

14. Approval to consult on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy

Document number R28754, agenda pages 372 - 437 refer.

Group Manager Environmental Management, Mandy Bishop, and Structural Engineer, Bruce Mutton took the report as read. They answered questions on adjoining Council's interest and capability in undertaking services on behalf of Nelson City Council for the regulation of Nelson Dams.

Resolved CL/2024/208

That the Council

- 1. Receives the report Approval to consult on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy (R28754) and its attachments; and**

- 2. Approves consultation using the Special Consultative Procedure on the proposed replacement Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy; and**
- 3. Approves the Statement of Proposal and its attachment the proposed Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy for consultation; and**
- 4. Agrees that a summary of the Statement of Proposal is not necessary for the public to understand the Proposed Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy; and**
- 5. Delegates to a Consultation Panel to hear and deliberate on submissions to the Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy, and recommend a decision to Council; and**
- 6. Appoints the following Elected Members to the Consultation Panel - Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy:**
 - a. Councillor Tim Skinner (Chair)**
 - b. Councillor Trudie Brand; and**
 - c. Councillor Campbell Rollo**
- 7. Approves the consultation approach (set out in sections 5.5 to 5.10 of this report R28754) 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.**

His Worship the Mayor/Skinner

Carried

15. Residents' Survey 2023/24 results

Document number R28729, agenda pages 438 - 486 refer.

Group Manager Strategy and Communications, Nicky McDonald and Senior Policy Adviser, Louise Dalzell spoke to the report and highlighted the key aspects of the survey results. They answered questions on interpretation of data and key research.

Resolved CL/2024/209

That the Council

- 1. Receives the report Residents' Survey 2023/24 results (R28729) and its attachment; and**
- 2. Notes that the results of the Residents' Survey 2023/24 will be made available to the public on Council's website.**

His Worship the Mayor/Sanson

Carried

16. Adoption of the Schedule of Meetings for 2025

Document number R28790, agenda pages 487 - 0 refer.

Team Leader Governance, Robyn Byrne took the report as read.

Resolved CL/2024/210

That the Council

- 1. Receives the report Adoption of the Schedule of Meetings for 2025 (R28790) and its attachment; and**
- 2. Adopts the Schedule of Meetings for the 2025 calendar year as set out in Attachment 1.**

His Worship the Mayor/O'Neill-Stevens

Carried

17. Exclusion of the Public

Resolved CL/2024/211

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/Sanson

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	<p>Council Meeting - Confidential Minutes - 5 September 2024</p>	<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)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	<p>Recommendations from Committees</p>		
	<p>Nelson Regional Sewerage Business Unit - 20 September 2024</p> <p>Nelson Regional Sewerage Business Unit Land Purchase</p>	<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)
3	<p>Nelson Regional Sewerage Business Unit - appointment of Independent Member</p>	<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)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	<p>The Suter Art Gallery Te Aratoi o</p>	<p>Section 48(1)(a) The public conduct of this matter</p>	<p>The withholding of the information is necessary:</p>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Whakatū Trust - Trustee Rotation	would be likely to result in disclosure of information for which good reason exists under section 7	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
5	'Shaping our future' programme	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
6	City Centre Expressions of Interest development opportunities	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)(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)
7	Millers Acre regional bus interchange	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		exists under section 7	disadvantage, commercial activities <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 1.07pm and resumed in public session at 6.01pm.

Karakia Whakamutanga

18. Restatements

It was resolved while the public was excluded:

2 **Recommendation from Committee:**

CONFIDENTIAL: Nelson Regional Sewerage Business Unit Land Purchase

3. Agrees that the decision be made publicly available following settlement of the purchase.

3 **CONFIDENTIAL: Nelson Regional Sewerage Business Unit - appointment of Independent Member**

5. Agrees that Report (R28671) remain confidential at this time; and
6. Agrees that the decision only be made publicly available once a letter of acceptance is received.

4 **CONFIDENTIAL: The Suter Art Gallery Te Aratoi o Whakatū Trust - Trustee Rotation**

8. Agrees that the report The Suter Art Gallery Te Aratoi o Whakatū Trust – Trustee Rotation (R28574) and its attachments remain confidential at this time; and
9. Agrees that the decision only be made publicly available once the 2024 The Suter Art Gallery Te Aratoi o Whakatū Trust Annual General Meeting has taken place.

5 CONFIDENTIAL: 'Shaping our future' programme

9. Agrees that Report (R28771) and Attachment remain confidential at this time; and
10. Agrees that the decision only be made publicly available at the discretion of the Chief Executive.

6 CONFIDENTIAL: City Centre Expressions of Interest development opportunities

9. Agrees that the report City Centre Expressions of Interest development opportunities (R28802) and its attachments will remain confidential until sale and purchase agreements become unconditional for 25 to 27 Bridge Street and 42 Rutherford Street and a lease is executed for 3 Halifax Street.

7 CONFIDENTIAL: Millers Acre regional bus interchange

8. Agrees the decision, Report (R28780) and its attachment remain confidential at this time.

There being no further business the meeting ended at 6.02p.m.

Confirmed as a correct record of proceedings by resolution on 07 November 2024.

Resolved

That the Council

1. Confirms the minutes of the meeting of the Council, held on 10 October 2024, as a true and correct record.