



**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 7 November 2024, commencing at 9.01a.m.

Present: His Worship the Mayor N Smith (Chairperson), Councillors M Anderson, M Benge, T Brand, M Courtney, J Hodgson, K Paki Paki, P Rainey, C Rollo, R Sanson 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 Governance Adviser (A Andrews)

Apology: An apology has been received from Deputy Mayor R O'Neill-Stevens and Councillor T Skinner.

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2024/224

That the Council

- 1. Receives and accepts an apology from Deputy Mayor R O'Neill-Stevens and T Skinner.**

His Worship the Mayor/Courtney

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

His Worship the Mayor declared a pecuniary interest with Multicultural Nelson Tasman but noted it was public forum and no decisions would be made.

4. Public Forum

- 4.1. Students from Nelson College, Nelson College Preparatory, Broadgreen Intermediate and Nelson Intermediate Schools - Council's Climate Strategy

Document number R28818

Students from Nelson College, Nelson College Preparatory, Broadgreen Intermediate and Nelson Intermediate Schools, spoke about Council's Climate Strategy and presented a video on the work they have undertaken within the Climate Learning Programme led by the Climate Learning Programme Lead, Will Stovall.

- 4.2. Multicultural Nelson Tasman - Update to requests made under the Long Term Plan Consultation

Document number R28879

Multicultural Nelson Tasman members spoke to the need for increased funding from Council through the Long-Term Plan. They answered questions on total funding received by Council in the current financial year and funding challenges.

5. Confirmation of Minutes

- 5.1 10 October 2024

Document number M20779, agenda pages 4 - 18 refer.

Resolved CL/2024/225

That the Council

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

Brand/Courtney

Carried

- 5.2 22 October 2024 - Extraordinary Meeting

Document number M20790, agenda pages 19 - 20 refer.

Resolved CL/2024/226

That the Council

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

Brand/Rollo

Carried

6. Annual Report - Brook Waimarama Sanctuary Trust

Document number R28262, agenda pages 21 - 70 refer.

Chief Executive, Brook Waimarama Sanctuary Trust, Ru Colin and Strategic Adviser Community Services, Martin Croft, spoke to the presentation (tabled). They answered questions on grants, multi-year agreements and pest control.

Resolved CL/2024/227

That the Council

- 1. Receives the report Annual Report - Brook Waimarama Sanctuary Trust (R28262) and its attachment.**

His Worship the Mayor/Paki Paki

Carried

Attachments

- 1 Brook Waimārama Sanctuary Trust PowerPoint

The meeting was adjourned from 10.04a.m. until 10.10a.m.

7 Recommendation from Committees

7.1 Saxton Field Committee – 05 November 2024

Resolved CL/2024/228

That the Council

- 1. Adopt the revised Saxton Field Activity Management Plan 2024-2034 (NDOCS-196698121-60099) in Attachment 1 to the agenda report; and**
- 2. Delegate authority to the Chair of the Saxton Field Committee, Group Manager Community Services Nelson City Council and Group Manager Community Infrastructure Tasman District Council to make editorial amendments to the Saxton Field Activity Management Plan prior to the public release of the Saxton Field Activity Management Plan 2024-34.**

Rollo/Courtney

Carried

8. Mayor's Report - Isel and Botanic Gardens Bequest, Local Electoral Reform, Storm Recovery Taskforce Terms of Reference, Sister Cities visit, Mayoral Discretionary Fund

Document number R28870, agenda pages 72 - 110 refer.

His Worship the Mayor Hon Dr Nick Smith presented his report and explained the purpose of the proposed recommendations. He answered questions on administration of the Bequest, electoral reform and postal voting, Youth Council input on electoral reform, digital voting and security and Māori youth participation.

Resolved CL/2024/229

That the Council

- 1. Receives the report Mayor's Report - Isel and Botanic Gardens Bequest, Local Electoral Reform, Storm Recovery Taskforce Terms of Reference, Sister Cities visit, Mayoral Discretionary Fund (R28870) and its attachment;**
- 2. Receives the generous Isel and Botanic Gardens Bequest of approximately \$300,000; and**
 - a. Requests the City of Nelson Civic Trust administers the Isel and Botanic Gardens Bequest on behalf of Nelson City Council; and**
 - b. Following confirmation from the City of Nelson Civic Trust delegates to the Chief Executive the formalisation of an Agreement to administer the Isel and Botanic Gardens Bequest.**
- 3. Notes that Local Government New Zealand's Electoral Reform Group has released a local electoral reform issues paper and councils across the country are being encouraged to submit on the matters raised within this paper; and**
 - a. Requests that officers prepare a submission with input from elected members.**
- 4. Approves the updated Storm Recovery Taskforce Terms of Reference (NDOCS-1982984479-5256).**
- 5. Notes the recent expenditure from the Mayoral Discretionary Fund.**

His Worship the Mayor/Rainey

Carried

9. Nelson Arts Hub - Business Case

Document number R28588, agenda pages 111 - 215 refer.

Group Manager Community Services, Andrew White and Engagement Lead and Facilitation, Habilis New Zealand Ltd, Kent Duston, took the report as read and highlighted the formatting issues within the terms of reference attached in the report. They answered questions on naming rights and the mandate to the He Tātai Whetū Arts and Creativity Taskforce.

Resolved CL/2024/230

That the Council

1. **Receives the report Nelson Arts Hub - Business Case (R28588) and its attachments; and**
2. **Approves for the Nelson Arts Hub building acquisition the option to proceed with identification of a suitable building for Council to purchase, or repurpose an existing Council owned building; and**
3. **Approves the Arts Development Agency to oversee governance of the Nelson Arts Hub; and**
4. **Approves the Arts Development Agency lead operations of the Nelson Arts Hub; and**
5. **Directs that a staff-led Nelson Arts Hub project group is formed to assess suitable buildings, within the allocated budget to house an Arts Hub, taking into account the requirements identified in the Arts Hub Business Case; and**
6. **Notes that the He Tātai Whetū Arts and Creativity Taskforce will provide oversight and guidance to the project group as it undertakes the assessment of buildings for acquisition; and**
7. **Directs that the Nelson Arts Hub Project Group report back to Council with a recommendation for the procurement or repurposing of a suitable building; and**
8. **Approves the amended Terms of Reference for the He Tātai Whetū Arts and Creativity Taskforce detailed in Attachment 4 (NDOCS-1974015928-1096).**

Sanson/Paki Paki

Carried

The meeting was adjourned from 11.09a.m. until 11.16a.m.

10. Approval to Bring Forward Budget - Regional Infrastructure Fund Flood Resilience Projects

Document number R28845, agenda pages 216 - 226 refer.

Group Manager Infrastructure, Alec Louverdis, and Activity Engineer - Flood Protection, Toby Kay, took the report as read. They answered questions on central government funding, savings within the LTP budget, the re-allocation of funding to transport initiatives, workshops to discuss opportunities with savings and the challenges of bringing forward funding within the budget.

Resolved CL/2024/231

That the Council

- 1. Receives the report Approval to Bring Forward Budget - Regional Infrastructure Fund Flood Resilience Projects (R28845); and**
- 2. Approves bringing forward budget to ensure all conditions of the Regional Infrastructure Fund are met and to secure 60% co-funding from the Ministry of Business Innovation and Employment, of:**
 - a \$6,500,000 set aside in the current Long Term Plan between 2028/29 and 2033/34 to 2024/25 - 2026/27 to allow the Maitai Flood Management projects to proceed ahead of schedule with the split across the relevant financial years as detailed in the report (R28845); and**
 - b \$3,000,000 set aside in the current Long Term Plan between 2027/28 and 2028/29 to 2024/25-2026/27 to allow Nelson Flood Repairs projects to proceed ahead of schedule with the split across the relevant financial years as detailed in the report (R28845);**
- 3. Approves the re-allocation of \$2,500,000 from the Flood Protection Activity to the Stormwater Activity as follows:**
 - a. \$1,700,000 from Maitai Flood Management to Queens Gardens Stormwater in years 2024/25-2026/27;**
 - b. \$500,000 from Flood Recovery to Cleveland Terrace Intake Upgrade in 2025/26; and**
 - c. \$300,000 from Flood Recovery to Devenish Place Intake in 2025/26.**

His Worship the Mayor/Brand

Carried

11. Tāhunanui Surf Life Saving Facility

Document number R28843, agenda pages 227 - 444 refer.

Group Manager Community Services, Andrew White and Team Leader - Parks and Facilities Activity Management, Karl Noldan, took the report as read and highlighted project timelines, iwi engagement and ownership. They answered question on the nature of the Tāhunanui Surf Life Saving Club, officers within the club, financial resilience of the club, operational grant timelines, first right of refusal on sale of facility, detailed design, insurance, interests incurred by the loan, grant limit, interest rates and multi-use facility.

The motion was taken in parts.

Resolved CL/2024/232

That the Council

- 1. Receives the report Tāhunanui Surf Life Saving Facility (R28843) and its attachments; and**
- 2. Receives the Nelson Surf Life Saving Facility Feasibility Assessment - Stage 2 July 2024 (Attachment 1); and**
- 3. Agrees that the proposed facility will be owned by the Nelson Surf Life Saving Club; and**
- 4. Approves the project management structure as set out in Nelson Surf Lifesaving Club - Project Delivery Structure October 2024 (Attachment 2); and**
- 5. Approves that given the recommended ownership model, the current capital expenditure and grant funding budgets for the Surf Life Saving facility in the 2024-34 Long Term Plan be reallocated to a loan funded operating grant (2024/25 \$100,000, 2025/26 \$766,500 and 2026/27 \$784,875) to be repaid over 60 years; and**
- 6. Approves that the funding of \$1,650,625, subject to a formal grant agreement being approved by Council and reporting to Council on the details of the future operations of the facility, be provided in stages to the Nelson Surf Life Saving Club; and**
- 7. Approves Council entering into a community lease with the Nelson Surf Lifesaving Club for a ground lease in accordance with the Community Assistance Policy 2015.**

His Worship the Mayor/Rollo

Carried

Councillor Brand raised a Point of Order with the Chair that the language used towards her was inappropriate. The Point of Order was upheld.

The meeting was adjourned from 1.09p.m. until 2.25p.m.

12. Review of Biosecurity Annual Report 2023/24 & Adoption of Operational Plan 2024/25

Document number R28842, agenda pages 445 - 519 refer.

Group Manager Environmental Management, Mandy Bishop, and Environmental Programmes Adviser, Richard Frizzell, took the report as read. They answered questions on Old Man's Beard, provisions for unexpected costs, emerging pests, the summer programme and the cost of traps.

Resolved CL/2024/233

That the Council

- 1. Receives the report Review of Biosecurity Annual Report 2023/24 & Adoption of Operational Plan 2024/25 (R28842) and its attachments; and**
- 2. Approves, subject to the approval of Tasman District Council, the Operational Plan 2024/25 for the Tasman-Nelson Regional Pest Management Plan.**

Sanson/Benge

Carried

13. Adoption of Environmental Management Activity Management Plan 2024 - 2034

Document number R28851, agenda pages 520 - 526 refer.

Group Manager Environmental Management, Mandy Bishop, and Strategic Adviser, Michelle Joubert, took the report as read.

Resolved CL/2024/234

That the Council

- 1. Receives the report Adoption of Environmental Management Activity Management Plan 2024 - 2034 (R28851) and its attachment; and**
- 1. Adopts the revised Environmental Management Activity Management Plan 2024 - 2034 (NDOCS-887727126-3304); and**
- 2. 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 Environmental Management Activity Management Plan.**

His Worship the Mayor/Sanson

Carried

14. Adoption of the Property Activity Management Plan 2024-2034

Document number R28770, agenda pages 527 - 536 refer.

Group Manager Corporate Services, Nikki Harrison, and Property Asset Planner, Tess Harvey, took the report as read.

Resolved CL/2024/235

That the Council

- 1. Receives the report Adoption of the Property Activity Management Plan 2024-2034 (R28770) and its attachment; and**
- 2. Adopts the revised Property Activity Management Plan 2024-2034 (NDOCs 714127617-20137); and**
- 3. Delegates authority to His Worship the Mayor and Chief Executive to approve any minor amendments required to the document prior to the public release of the Property Activity Management Plan 2024-2034.**

Courtney/Sanson

Carried

15. Exclusion of the Public

Resolved CL/2024/236

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:**

His Worship the Mayor/Courtney

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Confidential Minutes - 10 October 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)(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) • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
2	Poll of electors in 2025 - implications of non-compliance	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
3	Nelmac Limited - Appointments to Board of Directors	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	Statement of Expectations 2025/26 - The Suter Art Gallery Te Aratoi o Whakatū Trust	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)(i) To enable the local authority to carry on, 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, negotiations (including commercial and industrial negotiations) <ul style="list-style-type: none"> • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage
5	Trustee Rotation - City of Nelson Civic Trust	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

The meeting went into confidential session at 2.43p.m. and resumed in public session at 3.12p.m..

Karakia Whakamutanga

16. Restatements

It was resolved while the public was excluded:

2 CONFIDENTIAL: Poll of electors in 2025 - implications of non-compliance

2. Agrees that Report (R28788) remain confidential at this time.

3 CONFIDENTIAL: Nelmac Limited - Appointments to Board of Directors

7. Agreed that Report (R28887) and its attachment remain confidential at this time.

8. Agrees that the Decision only be made publicly available once the 2024 Nelmac Limited Annual General Meeting has taken place.

4 CONFIDENTIAL: Statement of Expectations 2025/26 - The Suter Art Gallery Te Aratoi o Whakatū Trust

4. Agrees that Report (R28256) and the Decision be made publicly available once the completed Statement of Expectations has been published on the Nelson City Council website, approximately 30 days after it is received by the Suter Art Gallery Te Aratoi o Whakatū Trust.

5 CONFIDENTIAL: Trustee Rotation - City of Nelson Civic Trust

3. Agrees that the decision only be made publicly available once the trustees have been advised, and that the decision will then be made available at

<https://www.nelson.govt.nz/council/council-structure/council-organisations-2/city-of-nelson-civic-trust/civic-trust-trustees/>

There being no further business the meeting ended at 3.13p.m.

Confirmed as a correct record of proceedings by resolution on 05 December 2024.

Resolved

That the Nelson City Council

- 1. Confirms the minutes of the meeting of the Nelson City Council, held on 07 November 2024, as a true and correct record.**