
MINUTES
of the
TASMAN DISTRICT COUNCIL MEETING
Kaunihera Katoa
held
9:30 am, Thursday, 2 May 2024
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Mayor T King, Deputy Mayor S Bryant, Councillors C Butler, G Daikee, B Dowler, J Ellis, M Greening (via Zoom), C Hill (via Zoom), M Kininmonth, K Maling, C Mackenzie, B Maru, D Shallcrass and T Walker

In Attendance: Chief Executive Officer (L Rae), Executive Assistant and Advisor to the Mayor (R Scherer), Group Manager - Service and Strategy (J Ridd), Group Manager – Finance (M Drummond), Group Manager - Community Infrastructure (R Kirby), Group Manager - Environmental Assurance (K Drummond), Chief Operating Officer (S Manners), Kaihautū (R Thomas), Team Leader - Democracy Services (E Stephenson), Acting Legal and Democracy Services Manager (L Townshend), Transportation Manager (J McPherson), Strategic Planning Manager (D Fletcher), Management Accounting Manager (P Egan), Financial Analyst (J Bagnall), Team Leader – Urban and Rural Policy (J Butler), Environmental Policy Manager (B Johnson), Team Leader – Stormwater and Wastes (D Stephenson), Project Manager (J Bywater), Risk and Assurance Advisor (A Clarke)

1 OPENING, WELCOME

Mayor King welcomed everyone to the meeting and offered the opening karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 PUBLIC FORUM

3.1 Māpua Boat Ramp Community Trust

Trevor Marshall, representing the Māpua Boat Ramp Community Trust, spoke to a PowerPoint presentation regarding the Council's funding for the Māpua Boat Ramp.

Councillor Kininmonth noted his interest in the topic and left the table for this item.

Attachment 1 Mapua Community Boat Ramp Trust Presentation

3.2 National Public Health Service

Hana Wilkinson and Dr Rachel Eyre spoke on behalf of the National Public Health Service and used a PowerPoint presentation in support of the Streets for People programme.

Attachment 1 National Public Health Service Presentation

4 DECLARATIONS OF INTEREST

Councillor Kininmonth declared an interest in Item 7.7 - Māpua Boat Ramp - Request for Funding Reallocation and noted that he would leave the meeting when the item was discussed.

5 LATE ITEMS

**Moved Deputy Mayor Bryant/Councillor Dowler
CN24-05-1**

That the confidential late item, 8.4, Waimea Water Limited – Contractor Matters, be considered at today's meeting. In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.12. The reason the item was not on the agenda is because it was not ready until after the agenda was distributed. The reason the item cannot be delayed until a subsequent meeting is to allow outstanding contract matters to be resolved.

CARRIED

6 CONFIRMATION OF MINUTES

**Moved Councillor Mackenzie/Councillor Maling
CN24-05-2**

That the minutes of the Tasman District Council meeting held on Thursday, 28 March 2024, be confirmed as a true and correct record of the meeting.

CARRIED

**Moved Deputy Mayor Bryant/Councillor Mackenzie
CN24-05-3**

That the confidential minutes of the Tasman District Council meeting held on Thursday, 28 March 2024, be confirmed as a true and correct record of the meeting.

CARRIED

7 REPORTS

7.1 Referral from the Golden Bay and Motueka Community Boards - Tasman District Council Policy on the Special Projects Funds and adoption of the amended Tasman District Council Policy on Community Board Discretionary Funds 2023

Acting Legal and Democracy Services Manager, Leith Townshend presented the report which was taken as read.

Moved Councillor Maru/Councillor Butler

CN24-05-4

That the Tasman District Council

- 1. receives the Referral from the Golden Bay and Motueka Community Boards - Tasman District Council Policy on the Special Projects Funds and adoption of the amended Tasman District Council Policy on Community Board Discretionary Funds 2023 report RCN24-05-1; and**
- 2. adopts the Tasman District Council Policy on the Community Board Special Projects Funds in Attachment 3 to the agenda report; and**
- 3. adopts the amended Tasman District Council Policy on Community Board Discretionary Funds 2023 in Attachment 4, with the proposed change to clause 4.9.**

CARRIED

7.2 Referral from Joint Nelson Tasman Regional Transport Committee - Public Transport Expenditure

Transportation Manager, Jamie McPherson presented the report which was taken as read. He noted that the extra expenditure primarily related to one-off items that were not anticipated in the original proposal for the e-Bus service.

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-05-5

That the Tasman District Council

- 1. receives the Referral from Joint Nelson Tasman Regional Transport Committee - Public Transport Expenditure report RCN24-05-2; and**
- 2. notes the Joint Nelson Tasman Regional Transport Committee workshop scheduled for 3 May 2024 regarding forecast public transport expenditure in advance of Long Term Plan deliberations; and**
- 3. approves retrospectively additional unbudgeted funding of \$180,000 (being local share) to cover the public transport financial shortfall for the 2023/24 financial year following revised forecast and final costs to give effect to the successful roll-out to the new eBus public transport service.**

CARRIED

7.3 Change to delegations for the Nelson Tasman Joint Regional Transport Committee and Joint Committee of Nelson City and Tasman District Councils

Strategic Planning Manager, Dwayne Fletcher presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-05-6

That the Tasman District Council

- 1. receives the Change to delegations for the Nelson Tasman Joint Regional Transport Committee and Joint Committee of Nelson City and Tasman District Councils report RCN24-05-3; and**
- 2. approves, subject to the same approval by Nelson City Council, :**
 - a. the revised terms of reference for the Joint Committee of Nelson City and Tasman District Councils contained in Attachment 1 to the agenda report; and**
 - b. the revised terms of reference for the Joint Nelson Tasman Regional Transport Committee contained in Attachment 1 to the agenda report.**

CARRIED

The meeting adjourned at 10.31am and resumed at 10.40am.

7.4 Quarterly Financial Report

Management Accounting Manager, Paul Egan and Group Manager – Finance, Mike Drummond presented the report, which was taken as read.

After some discussion, it was agreed to add a clause 4 to the motion, requesting that staff provide a report to the Council noting the current delegations regarding budget administration, with a focus on the management of budget overspends.

Moved Councillor Maru/Councillor Kininmonth

CN24-05-7

That the Tasman District Council

- 1. receives the Quarterly Financial Report for the nine months to 31 March 2024, RCN23-04-4; and**
- 2. notes the likely breach of the \$250 million net debt limit prior to 30 June 2024; and**
- 3. retrospectively authorises \$100,000 of underspending in the 2022/23 year within the Information Services activity for file scanning to be brought forward into the 2023/24 financial year; and**
- 4. requests a report on the current delegations regarding budget management, with a focus on overspends.**

CARRIED

7.5 Treasury Quarterly Report

Financial Analyst, James Bagnall and Mike Drummond presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Mackenzie

CN24-05-8

That the Tasman District Council receives the Treasury Quarterly Report, RCN24-05-5.

CARRIED

7.6 Funding the Port Motueka Structure Plan

Team Leader – Urban and Rural Policy, Jeremy Butler and Environmental Policy Manager, Barry Johnson presented the report which was taken as read.

It was agreed to add a clause 3 to the motion to ensure that the Motueka Community Board was kept informed and consulted on the process going forward.

Action: Mr Butler to provide details on previous consultation on this topic with the Motueka Community Board.

Moved Councillor Dowler/Councillor Maling

CN24-05-9

That the Tasman District Council

- 1. receives the Funding the Port Motueka Structure Plan report, RCN24-05-6; and**
- 2. approves the use of up to \$100,000 from the Motueka Harbour and Coastal Works Reserve Fund for the purpose of completing the Port Motueka Structure Plan; and**
- 3. requests that the Motueka Ward Councillors and the Motueka Community Board are kept informed and consulted on the process.**

CARRIED

7.7 Māpua Boat Ramp - Request for Funding Reallocation

Councillor Kininmonth left the meeting for this item, as he had previously declared an interest in the matter.

Group Manager – Community Infrastructure, Richard Kirby presented the report which was taken as read. Team Leader - Natural Resources Consents, Leif Pigott provided support.

After extensive discussion the following alternative motion was moved by Councillor Daikee and seconded by Councillor Greening.

That the Tasman District Council

- 1. receives the Māpua Boat Ramp - Request for Funding Reallocation report, RCN24-05-7; and**

2. notes the Council resolution of 17 May 2021 agreeing to advance funding for the new Tasman Bay Boat Access Facility of \$700,000 (excluding inflation) to \$50,000 in 2021/2022, \$50,000 in 2022/2023 and \$600,000 in 2023/2024, for the purpose of providing a new boat ramp facility at Waterfront Park in Māpua to be funded from the Moutere-Waimea Ward Reserves Financial Contributions account; and
3. notes that, as at 30 March 2024, the Council has paid the Māpua Boat Ramp Community Trust \$169,406 from the allocated funding towards the preparation and application for a Resource Consent for the boat ramp in the Māpua Waterfront Park; and
4. approves advancing up to \$250,000 from the allocated funding as requested by the Māpua Boat Ramp Community Trust towards the costs of the consent process; and
5. notes that any further funding advanced by the Council would be towards physical works only and the Council's contribution towards to the boat ramp is still capped at \$700,000 (excluding inflation), or at two-thirds of the total project cost, whichever is the lesser amount.

It was agreed that the Council needed to hold further discussions with the Māpua Boat Ramp Community Trust prior to making a decision on the matter.

Moved Councillor Maling/Councillor Mackenzie

CN24-05-10

That the Tasman District Council agrees to leave the item to lie on the table.

CARRIED

The meeting was adjourned at 12.33pm and reconvened at 1:04pm, at which time Councillor Kininmonth returned to the meeting.

7.8 Streets for People Implementation Feedback - Aranui Road, Queen Street and Champion Road

Mr McPherson, Project Manager, Joe Bywater and Council contractor, Vincent Revell presented the report which was taken as read.

The Council agreed to take the motion in parts, and the motion regarding the Streets for People project in Queen Street, Richmond, was put separately.

Moved Councillor Maling/Councillor Kininmonth

CN24-05-11

That the Tasman District Council

1. receives the Streets for People Implementation Feedback - Aranui Road, Queen Street and Champion Road report, RCN24-05-8; and
2. approves the following design changes:
 - 2.1 Aranui Road
 - 2.1.1 Remove the arrows in opposing directions on the cycleway.
 - 2.1.2 Remove planter boxes and replace with yellow lines.
 - 2.1.3 Remove white plastic bollards.
 - 2.1.4 Create defined space on the road section of shared path heading towards the Māpua wharf for one-way cycling.

2.1.5 Encourage cyclists to take the traffic lane when heading away from the Māpua wharf.

2.1.6 Extend the corner footpath from Aranui Park to the Māpua Fruit and Vege Shop.

2.2 Champion Road

2.2.1 Retain pilot with no changes.

CARRIED

Councillor Hill left the meeting at 1.30 pm.

The meeting discussed the motion relating to the Streets for People project design changes on Queen Street, Richmond. The motion was then put.

Moved Councillor Maling/Councillor Mackenzie

CN24-05-12

That the Tasman District Council

2. approves the following design changes:

2.3 Queen Street

2.3.1 Retain pilot with no changes.

CARRIED

The order of items was changed to consider the confidential items at this point and the public was excluded at 1.50pm.

8 CONFIDENTIAL SESSION

8.1 Procedural motion to exclude the public

Moved Councillor Maling/Councillor Walker

CN24-05-13

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

8.2 Strategic Land Purchase - Stormwater

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good

	<p>person who supplied or who is the subject of the information.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>reason for withholding exists under section 7.</p>
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8.3 Joint Regional Cemetery Land Purchase - Moutere/Waimea

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>48(1)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.</p> <p>s7(2)(b)(ii) - The withholding of the information is necessary 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.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

8.4 Waimea Water Ltd - Contractor Matters Update

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

CARRIED

The meeting resumed in open session at 2.35pm.

7.9 Motueka Harbour and Coastal Works Reserve Fund Policy Update

This report was withdrawn from the agenda.

7.10 Transportation - Section 17a Delivery of Services Review

Mr McPherson presented the report. He noted an correction to the attachment which should have referred to the Nelson-Tasman Regional Land Transport Plan, not the Top of the South Regional Land Transport Plan.

Moved Councillor Mackenzie/Councillor Maru

CN24-05-14

That the Tasman District Council

- 1. receives the Transportation - Section 17a Delivery of Services Review report, RCN24-05-10; and**
- 2. approves the Section 17A Review of Transportation as detailed in Attachment 1 to the agenda report.**

CARRIED

7.11 Waste Management Services - Section 17A Delivery of Services Review

Team Leader Stormwater and Wastes, David Stephenson presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-05-15

That the Tasman District Council

- 1. receives the Waste Management Services - Section 17A Delivery of Services Review report, RCN24-05-11 and the Tasman District Council Section 17A Review of Waste Services as detailed in Attachment 1 to the agenda report; and**
- 2. agrees that Tasman District Council will continue to provide governance and funding for the delivery of kerbside refuse and recycling collections, operation of resource recovery centres, processing of kerbside recycling materials, processing of organic materials and bulk transport of waste, greenwaste and recyclable materials and that delivery of these services will be by another person or agency.**

CARRIED

7.12 Assurance and Improvement Report

Assurance and Risk Advisor, Amy Clarke presented the report which was taken as read. It was agreed that future approval of the Risk Management Framework would sit with the Council, not the Audit and Risk Committee. The motion was amended accordingly to remove the approval delegation clause.

Moved Councillor Greening/Councillor Mackenzie

CN24-05-16

That the Tasman District Council

- 1. receives the Assurance and Improvement Report RCN24-05-12; and**

2. approves the Risk Management Framework.

CARRIED

7.13 Machinery Resolutions Report

The report was taken as read.

Moved Councillor Maling/Councillor Dowler

CN24-05-17

That the Tasman District Council

- 1. receives the Machinery Resolutions report RCN24-05-13 and that the execution of the following documents under the Seal of Council be confirmed:**

Lease – Grazing – Waimea River Berm – This lease grants a term of one year for grazing by William and Bridget Bryne. The lease is a standard document originally drafted by Fletcher Vautier and Moore.

CARRIED

Moved Councillor Dowler/Councillor Maling

CN24-05-18

Dowler/Maling

That, in accordance with Standing Order 4.2 - Meeting Duration, the meeting time be extended beyond six hours to enable the matters under discussion to be completed.

CARRIED

7.14 Chief Executive's Report

Chief Executive Officer, Leonie Rae presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Kininmonth

CN24-05-19

That the Tasman District Council receives the Chief Executive's Report, RCN24-05-14.

CARRIED

7.15 Mayoral Activity Update

Mayor King presented the report, which was taken as read.

The Mayor noted that Council staff member, Yulia Panfylova had recently been accepted for the Mayors for Peace internship programme and would spend two weeks in Hiroshima to learn about Mayors for Peace activities. The Councillors asked that their congratulations be passed on to Ms Panfylova.

Moved Mayor King/Deputy Mayor Bryant

CN24-05-20

That the Tasman District Council receives the Mayoral Activity Update report, RCN24-05-15.

CARRIED

RESTATEMENTS

It was resolved while the public was excluded:

8.2 Strategic Land Purchase - Stormwater

That the Tasman District Council

- 7. agrees that the decision only be made publicly available once negotiations are concluded and that the report and its attachments remain confidential at this time.**

8.4 Waimea Water Ltd - Contractor Matters Update

That the Tasman District Council

- 9. agrees that the decision, the report and its attachments remain confidential at this time.**

Mayor King offered the closing karakia and the meeting concluded at 4.00 pm.

Confirmed as a correct record of proceedings by resolution on 20 June 2024.

Moved Councillor Daikee/Councillor Maru

CN24-06-21

That the minutes of the Tasman District Council meeting held on Thursday, 2 May 2024, be confirmed as a true and correct record of the meeting.

CARRIED