
MINUTES
of the
TASMAN DISTRICT COUNCIL MEETING
Kaunihera Katoa
held
9:45 am, Thursday, 24 October 2024
at
Tasman Council Chamber, 189 Queen Street, Richmond

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

In Attendance: Chief Executive Officer (L Rae), Executive Assistant and Advisor to the Mayor (R Scherer), Chief Operating Officer (S Manners), Group Manager - Service and Strategy (J Ridd), Chief Financial Officer (M Drummond), Group Manager - Community Infrastructure (R Kirby), Group Manager - Environmental Assurance (K Drummond), Group Manager – Environmental Science (R Smith), Governance Manager (E Stephenson), Manager – Waters and Wastes (M Schruer), Operations Manager, Nelson Regional Sewerage Business Unit, (B Nixon), Community Policy Advisor (A Smith), Team Leader – Rivers and Coastal (D Arseneau), Programme Leader – Property Transactions (R Cant), Senior Property Officer (K O'Neill), Property Officer (M Wilson), Transportation Manager (J McPherson), Assurance and Improvement Manager (D Hemera), Risk and Assurance Advisor (A Clarke) Programme Delivery Manager (R McGuigan), Principal Planner – Environmental Policy (A McKenzie) and Strategic Policy Manager (D Fletcher)

1 OPENING, WELCOME

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

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Councillor Dowler/Councillor Hill

CN24-10-14

That apologies from Councillors K Maling and M Kininmonth for absence and from Councillor Mackenzie for absence on other Council business be accepted.

CARRIED

3 PUBLIC FORUM

- 3.1 Marion Satherley** spoke about homelessness and the current housing crisis in New Zealand. She urged the Council to enable tiny homes as a more accessible option for housing.
- 3.2 Lee Curtis** spoke about community engagement. She suggested that residents were being bombarded with numerous Council consultations which many people were not aware of. She believed that the Council did not explain its decisions very well and that Council reports should include a risk/benefit analysis. She also referred to the Council's website which she believed was unfriendly and difficult to navigate.
- 3.3 Bruce Struthers** provided a PowerPoint presentation to talk about the draft Māpua Masterplan, which is available on the Council's website in the Minutes Attachment document. He suggested that the plan document did not provide enough information about the coastal environment, including the geological hazards and any plans for the outstanding natural landscape. He asked that the Council reconsider housing demand in Mapua and felt that it should pause the Māpua Masterplan consultation.

Attachment 1 Draft Māpua Masterplan presentation

- 3.4 Melanie Drewery** tabled her speaking notes, which are available on the Council's website in the Minutes Attachment document. She spoke about the increasing amount of stormwater runoff from recent developments in Māpua which affected her property. She urged the Council to find a solution to the stormwater issues in Māpua as soon as possible.

Attachment 1 Melanie Drewery speaking notes

3.5 Mathias Schaeffner - Tasman Democracy

Mathias Schaeffner spoke on behalf of Tasman Democracy about tiny homes. He provided a presentation, which is available on the Council's website in the Minutes Attachment document. He suggested that the Tasman Resource Management Plan was confusing around the rules for tiny homes.

Attachment 1 Tasman Democracy Presentation

4 DECLARATIONS OF INTEREST

Deputy Mayor Bryant noted his interest in the agenda item 7.9, Community Infrastructure Capital Works Funding Approvals, relating to the Wai-iti Dam Augmentation Pipeline project.

5 LATE ITEMS

Nil

6 CONFIRMATION OF MINUTES

Moved Councillor Daikee/Councillor Ellis
CN24-10-15

That the minutes of the Tasman District Council meeting held on Thursday, 10 October 2024, be confirmed as a true and correct record of the meeting.

CARRIED

7 REPORTS

7.1 Tasman District Council Schedule of Meetings 2025

Governance Manager, Elaine Stephenson presented the report, which was taken as read.

Moved Councillor Hill/Councillor Maru

CN24-10-16

That the Tasman District Council

- 1. receives the Tasman District Council Schedule of Meetings 2025 report RCN24-10-8; and**
- 2. in accordance with Clause 19 (6), Schedule 7 of the Local Government Act 2022, adopts the Tasman District Council Schedule of Meetings 2025 in Attachment 1 to the agenda report; and**
- 3. notes that the Schedule of Meetings may be amended, as required, to enable Council business to be performed efficiently.**

CARRIED

7.2 Appointment of the Tasman District Council Electoral Officer

Mrs Stephenson presented the report, which was taken as read.

In response to a question, Mrs Stephenson confirmed that the Council would acknowledge the previous electoral services supplier.

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-10-17

That the Tasman District Council

- 1. receives the Appointment of the Tasman District Council Electoral Officer report RCN24-10-9; and**
- 2. in accordance with Section 12 of the Local Electoral Act 2001, appoints Mr Dale Matthew Ofsoske, Director of Election Services, as the Tasman District Council Electoral Officer, with effect from 1 November 2024; and**
- 3. notes that the Council's Governance Manager is appointed as the Tasman District Council Deputy Electoral Officer, with effect from 1 November 2024.**

CARRIED

7.3 Navigation Safety Bylaw

Community Policy Advisor, Amy Smith presented the report, which was taken as read.

The meeting discussed the rule within the bylaw regarding swimming or diving around boat landing places. It was noted that the rule was about common sense with responsibility being with the swimmer to take care around any boat landing place.

Mayor King thanked the Hearings Panel for their consideration of what had been a complex bylaw.

Moved Councillor Daikee/Councillor Dowler

CN24-10-18

That the Tasman District Council:

- 1. receives the Navigation Safety Bylaw report, RCN24-10-10 and**
- 2. notes that the Council has consulted with the Director of Maritime New Zealand as required by section 33M of the Maritime Transport Act 1994; and**
- 3. in accordance with section 155 of the Local Government Act 2002:**
 - 3.1 agrees that the proposed Navigation Safety Bylaw 2024 is the most appropriate form of bylaw for navigation safety matters; and**
 - 3.2 notes that the proposed Navigation Safety Bylaw 2024 does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and**
- 4. pursuant to section 145 of the Local Government Act 2022 and section 33M of the Maritime Transport Act 1994, makes the Navigation Safety Bylaw 2024 (Attachment 1 to the agenda report) that comes into force on 1 December 2024; and**
- 5. authorises staff to publicly notify the Navigation Safety Bylaw 2024; and**
- 6. notes that once the Navigation Safety Bylaw has been made, the relevant Maritime Transport Regulations will be updated via an Order in Council with infringement fees for offences under the Bylaw.**

CARRIED

7.4 River Stopbank Recompense Policy

Team Leader – Rivers and Coastal, David Arseneau presented the report, which was taken as read.

In response to a question, Mr Arseneau noted that a stopbank management "good practice guide" was available on the Council's website.

Moved Councillor Walker/Councillor Maru

CN24-10-19

That the Tasman District Council

- 1. receives the River Stopbank Recompense Policy report, RCN24-10-11; and**

2. notes the changes that have been made by staff to the policy in response to the consultation; and
3. adopts the River Stopbank Recompense Policy; and
4. delegates to the Chief Executive Officer and Group Manager – Environmental Science the authority to make payments to Eligible Private Landowners in accordance with the River Stopbank Recompense Policy.

CARRIED

7.5 River Management - Section 17A Delivery of Services Review

Mr Arseneau presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Daikee

CN24-10-20

That the Tasman District Council

1. receives the River Management - Section 17A Delivery of Services Review report RCN24-10-12, and the Tasman District Council Section 17A Review of River Management activity detailed in Attachment 1 to the agenda report; and
2. approves retaining the status quo arrangements for the River Management activity, with Tasman District Council providing governance and funding for the activity and an external contractor providing delivery of river maintenance services, with the river maintenance service delivery contract to be retendered prior to its expiration on 30 June 2025.

CARRIED

7.6 Public Notification Approval for Mohua MenzShed Lease and Lease Renewal for Brightwater Scouts

Programme Leader – Property Transactions, Rob Cant and Property Officer, Margot Wilson presented the report, which was taken as read.

Action: Mr Cant to provide feedback to the Council regarding the rationale for the variable lease terms for Council-owned properties.

Moved Councillor Shallcrass/Councillor Hill

CN24-10-21

That the Tasman District Council

1. receives the Public Notification Approval for Mohua MenzShed Lease and Lease Renewal for Brightwater Scouts report, RCN24-10-13; and
2. approves staff undertaking Public Notification of an intention to grant a ten-year lease to Mohua MenzShed at Golden Bay Recreation Park pursuant to the Reserves Act 1977 Section 54(1)(b) and (2)(2A)(a). Legal description: Pt Lot 1A DP 2371 with Record of title: NL75221. Land classified as Recreation Reserve; and
3. approves another five-year lease agreement for the Brightwater Scouts on Brightwater Recreation Reserve pursuant to the Reserves Act 1977 Section 54(1)(b).

Legal description: Lot 1 DP 10225 forming part of the Brightwater Recreation Reserve under Gazette #In10292 – 1992 p3822 – former Record of title: NL5B/194. Land classified as Recreation Reserve.

CARRIED

7.7 Temporary Road Closures

Transportation Manager, Jamie McPherson presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Ellis

CN24-10-22

That the Tasman District Council

- 1. receives the Temporary Road Closures report, RCN24-10-14; and**
- 2. approves a temporary road closure for the Westland Car Club Rally Event, Matakītaki Road, from 1.48km from the start of the road for a distance of ten (10) kilometres (RP 1.48 – RP 11.48), on Saturday 7 December 2024, from 8.00am-6.00pm; and**
- 3. approves temporary road closures for Richmond Unlimited for the Richmond Santa Parade on Edward Street, Queen Street (from Edward Street to McIndoe Place), Wensley Road (from Queen Street to John Wesley Lane), McIndoe Place, Oxford Street (from Queen Street to Crescent Street), and Salisbury Road (from Queen Street to Talbot Street) on Sunday 8 December 2024, or Sunday 15 December 2024 (as postponement date), from 7.00am-3.00pm; and**
- 4. approves temporary road closures for Golden Bay Workcentre Trust for the Tākaka Christmas Parade, on Junction Street and Reilly Street, on Saturday 14 December 2024 from 9.30am-11.00am; and**
- 5. approves a temporary road closure for Richmond Unlimited for the Market Day, on Queen Street (from No. 205 Queen Street to McIndoe Place), on Monday 30 December 2024, from 5.00am-6.30pm.**

CARRIED

7.8 New Zealand Transport Agency (NZTA) - Funding Shortfall 2024-2027

Mr McPherson presented the report, which was taken as read. He noted that the Council had received additional funding from the NZTA of \$2.1 million in 2018-2021 and \$2.4 million in 2021-2024.

Councillor Greening proposed a motion suggesting that other budgets could be used to fund roading maintenance. The motion lapsed for lack of a seconder.

Mr McPherson noted that indications from the NZTA were that static speed limit signage, rather than electronic signage, may be acceptable in the forthcoming NZTA speed management guidelines. This would allow a cost saving for signage around schools in the current budget.

Moved Deputy Mayor Bryant/Councillor Daikee

CN24-10-23

That the Tasman District Council

1. receives the New Zealand Transport Agency - Funding Shortfall 2024-2027 report, RCN24-10-15; and
2. declines additional local share funding and directs staff to limit expenditure to the local share budgeted in the Long Term Plan 2024/34 and approved New Zealand Transport Agency funding, in the 2024/25, 2025/26 and 2026/27 financial years; and
3. notes Council staff will continue to work with the New Zealand Transport Agency to attempt to secure additional New Zealand Transport Agency funding for Local Road Operations and Pothole Prevention in the 2026/27 financial year, to address funding shortfalls of \$558,242 and \$1,359,048 respectively; and
4. notes if additional New Zealand Transport Agency funding for Local Road Operations and Pothole Prevention is not successful, funding for these activities will be reconsidered in the 2026/27 Annual Plan.

CARRIED

The meeting was adjourned at 11.20 am and reconvened at 11.35am.

7.9 Community Infrastructure Capital Works Funding Approvals

Programme Delivery Manager, Russell McGuigan, Group Manager – Community Infrastructure, Richard Kirby and Waters and Wastes Manager, Mike Schruer presented the report, which was taken as read.

Action: Mr Schruer to advise the Council on the cost sharing arrangements for the Wai-iti Dam Augmentation Pipeline project.

Deputy Mayor Bryant noted his interest in the Wai-iti Dam Augmentation Pipeline project and did not vote on clause 4 of the motion.

Moved Councillor Daikee/Councillor Dowler

CN24-10-24

That the Tasman District Council receives the Community Infrastructure Capital Works Funding Approvals report, RCN24-10-16; and

1. approves the proposed budget changes by bringing forward \$6,239,144.21 (detailed in section 4.2 of this agenda report), from future years into 2024/25 and deferring \$13,593,365 (detailed in Table 4.3 of this agenda report), currently funded in 2024/25; and
2. notes that, following these changes, the total capex proposed and consequential forecast borrowing cost is less than anticipated for 2024/25 in the Long-Term Plan 2024/2034; and
3. notes that staff will review the Capital Programme 2025/26 as part of the Annual Plan 2025/2026 deliberations, accounting for the impact of the changes proposed in this report; and
4. notes that the approval of the Wai-iti Dam Augmentation Pipeline project is subject to a Shareholders vote achieving 70% in favour of the project.

CARRIED

7.10 Minor Land Purchase to Remedy Historic Encroachment

Senior Property Officer, Kevin O'Neil presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Shallcrass

CN24-10-25

That the Tasman District Council

- 1. receives the Minor Land Purchase to Remedy Historic Encroachment report, RCN24-10-17; and**
- 2. notes that the property is owned by council as fee simple but cannot be sold without following the respective provisions of the Public Works Act 1981 and the Local Government Act 2002; and**
- 3. notes that Reserve Financial Contributions can be invested in council reserves and facilities and 61 Edward Street is considered a Council facility as it is used as a public library; and**
- 4. approves the acquisition of 21m² from 63 Edward Street, Wakefield to remedy the historic encroachment; and**
- 5. delegates authority to the Enterprise and Property Services Manager to execute any documents required for the property purchase and legalisation; and**
- 6. approves the costs of up to \$20,000 for the purchase and to complete the legal and statutory processes, with funding from Waimea-Moutere Reserves Financial Contributions.**

CARRIED

7.11 Draft Māpua Masterplan

Principal Planner – Environmental Policy, Anna McKenzie, Strategic Policy Manager, Dwayne Fletcher and Mr Arseneau presented the report, which was taken as read. Ms McKenzie tabled replacement copies of the two attachments to the agenda report noting that Appendix 7, the catchment management plan had not been included in the original agenda report.

Moved Councillor Dowler/Councillor Shallcrass

CN24-10-26

That the Tasman District Council

- 1. receives the Draft Māpua Masterplan report, RCN24-10-18;**
- 2. approves the Draft Māpua Masterplan (Attachment 1 to the agenda report) and Draft Māpua Masterplan Supporting Information (Attachment 2 to the agenda report) for consultation; and**
- 3. agrees to use a process similar to the Local Government Act 2002 Special Consultative Procedure involving written submissions, hearings and deliberations for the Māpua Masterplan; and**
- 4. agrees that the Draft Māpua Masterplan consultation period to run from 1 November 2024 to 16 February 2025; and**

5. **agrees that the Draft Māpua Masterplan consultation be advertised in Newsline, on the Council's website, Shape Tasman, via social media posts and a pamphlet drop in central Māpua, and by writing to landowners whose properties are directly subject to proposals in the Draft Māpua Masterplan; and**
6. **agrees the Strategy and Policy Committee will hear and deliberate on submissions and approve the final masterplan; and**

CARRIED

Attachment 1 Final Draft Māpua Masterplan Draft for Consultation

Attachment 2 Māpua Masterplan Supporting Information-Proof 3

7.12 Nelson Regional Sewerage Business Unit - Draft Business Plan 2025/26 and Annual Report Summary 2023/24

Waters and Wastes Manager, Mike Schruer and Operations Manager, Nelson Regional Sewerage Business Unit, Brad Nixon presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-10-27

That the Tasman District Council

1. **receives the Nelson Regional Sewerage Business Unit - Draft Business Plan 2025/26 and Annual Report Summary 2023/24 report RCN24-10-19; and**
2. **receives the Nelson Regional Sewerage Business Unit Draft Business Plan 2025/26 in Attachment 1 to the agenda report for review and provides feedback to the Nelson Regional Sewerage Business Unit, if required; and**
3. **receives the Nelson Regional Sewerage Business Unit Annual Report 2023/24 and Nelson Regional Sewerage Business Unit Financial Statements 2023/24 in Attachment 2 to the agenda report.**

CARRIED

7.13 Risk Appetite Statement

Risk and Assurance Advisor, Amy Clarke and Assurance and Improvement Manager, Deidre Hemera presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Maru

CN24-10-28

That the Tasman District Council

1. **receives the Risk Appetite Statement report RCN24-10-20; and**
2. **adopts the Risk Appetite Statement in Attachment 1 to the agenda report.**

CARRIED

7.14 Audit and Risk Committee - Terms of Reference

Ms Clarke and Ms Hemera presented the report, which was taken as read.

Moved Deputy Mayor Bryant/Councillor Walker

CN24-10-29

That the Tasman District Council

- 1. receives the Audit and Risk Committee - Terms of Reference report, RCN24-10-21; and**
- 2. adopts the Audit and Risk Committee Terms of Reference in Attachment 1 to the agenda report; and**
- 3. appoints Independent Member, Ms Analisa Elstob as Deputy Chair of the Audit and Risk Committee**

CARRIED

7.15 Mayoral Update

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

Moved Mayor King/Deputy Mayor Bryant

CN24-10-30

That the Tasman District Council receives the Mayoral Update report, RCN24-10-22.

CARRIED

8 CONFIDENTIAL SESSION

8.1 Procedural motion to exclude the public

Moved Deputy Mayor Bryant/Councillor Dowler

CN24-10-31

That the public be excluded from the following part(s) of the proceedings of this meeting. 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 follows.

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:

That the Tasman District Council confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Brad Nixon, Operations Manager - Regional Sewerage, be permitted to remain after the public has been excluded, for Item 8.4 of the confidential agenda - Recommendation from the Nelson Regional Sewerage Business Unit - Nelson Regional Sewerage Business Unit Land Purchase to answer questions regarding the proposal that will assist the meeting in its decision-making.

8.2 Quarterly Risk Report

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)(g) - The withholding of the information is necessary to maintain legal professional privilege.	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 reason for withholding exists under section 7.

8.3 Reappointment of Independent Member to the Nelson Regional Sewerage Business Unit

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.	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>In particular, this report considers the reappointment of an individual to a Joint Council Committee</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>In particular, this report considers the reappointment of an individual to a Joint Council Committee</p>	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 reason for withholding exists under section 7.

8.4 Recommendation from the Nelson Regional Sewerage Business Unit - Nelson Regional Sewerage Business Unit Land Purchase

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)(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).	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 reason for withholding exists under section 7.

	This decision relates to the purchase of land	
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8.5 Local Government Funding Agency - Annual Report and Annual General Meeting

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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 reason for withholding exists under section 7.

CARRIED

RESTATEMENTS

It was resolved while the public was excluded:

8.2 Quarterly Risk Report

That the Tasman District Council receives the Quarterly Risk Report, RCN24-10-23.

8.3 Reappointment of Independent Member to the Nelson Regional Sewerage Business Unit

That the Tasman District Council

4. agrees that the decision only be made publicly available once the letter of acceptance is received but that the report remains confidential at this time.

8.4 Recommendation from the Nelson Regional Sewerage Business Unit - Nelson Regional Sewerage Business Unit Land Purchase

That the Tasman District Council

4. agrees that the report, its attachment and the decision be made publicly available following settlement of the purchase.

8.5 Local Government Funding Agency - Annual Report and Annual General Meeting

That the Tasman District Council

7. agrees to release the Council's decision on this matter after the Annual General Meeting.

Mayor King offered the closing karakia and the meeting concluded at 12.45 pm.

Confirmed as a correct record of proceedings by resolution on Enter date .

Unconfirmed