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**MINUTES**  
of the  
**TASMAN DISTRICT COUNCIL MEETING**  
**Kaunihera Katoa**  
held  
**9:30 am, Thursday, 28 November 2024**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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The [video recording](#) of this meeting is available on the Council's YouTube channel

**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), 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 Science (R Smith), Kaihautū (R Thomas), Governance Manager (E Stephenson), Executive Assistant and Advisor to the Mayor (R Scherer), Property and Enterprise Manager (N Chin), Waters and Wastes Manager (M Schruer), Senior Transportation Engineer (M van Enter),  
  
Waimea Water Limited Board Director (D Hattersley) and Chief Executive Officer (M Scott)

The order of items was different to the published agenda.

**1 OPENING, WELCOME**

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

**2 APOLOGIES AND LEAVE OF ABSENCE**

Nil

### **3 PUBLIC FORUM**

#### **3.1 Nathan Silcock - Moutere Hill Residents Association**

Mr Silcock spoke about the proposed shared path project in Lower Moutere. He expressed the community's disappointment that the project had been delayed because the New Zealand Transport Agency had removed funding assistance. He reminded the Council that the proposed shared path was ranked number one on the Council's list of footpath projects. He urged the Council to reinstate the project in the transportation budget.

Mr Silcock tabled a letter of support from the Moutere Hills Community Centre Board Chair and Facility Manager, this is available on the Council's website in the Minutes Attachment document.

Attachment 1 Letter from Moutere Hills Community Centre-2024-11-26

#### **3.2 Katerina Seligman - Māori Kaupapa**

This request was withdrawn

#### **3.3 Rich McCoy – Affordable Housing Solutions**

Mr McCoy spoke about low impact affordable housing solutions. He suggested that there were inconsistencies in the Council's rules around tiny homes and what constitutes a building.

### **4 DECLARATIONS OF INTEREST**

Nil

### **5 LATE ITEMS**

Nil

### **6 CONFIRMATION OF MINUTES**

**Moved Councillor Daikee/Councillor Mackenzie**

**CN24-11-11**

**That the minutes of the Tasman District Council meeting held on Thursday, 24 October 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Kininmonth/Councillor Daikee**

**CN24-11-12**

**That the minutes of the Tasman District Council meeting held on Thursday, 31 October 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Maling/Councillor Mackenzie**

**CN24-11-13**

**That the minutes of the Tasman District Council meeting held on Thursday, 7 November 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Butler/Councillor Kininmonth**

**CN24-11-14**

**That the minutes of the Extraordinary Tasman District Council meeting held on Thursday, 14 November 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Mackenzie/Councillor Daikee**

**CN24-11-15**

**That the confidential minutes of the Tasman District Council meeting held on Thursday, 24 October 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Maling/Councillor Dowler**

**CN24-11-16**

**That the confidential minutes of the Tasman District Council meeting held on Thursday, 7 November 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Kininmonth/Councillor Ellis**

**CN24-11-17**

**That the confidential minutes of the Extraordinary Tasman District Council meeting held on Thursday, 14 November 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Councillor Maling/Councillor Daikee**

**CN24-11-18**

**That the minutes of the Navigation Safety Bylaw hearing held on Wednesday, 18 September 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

## **7 REPORTS**

### **7.1 Waimea Water Limited Annual Report 2024**

Waimea Water Limited Board Director, Doug Hattersley and Chief Executive, Mike Scott provided a PowerPoint presentation which is available on the Council's website in the Minutes

Attachment document.

Mr Hattersley noted that construction of the Waimea Community Dam was now complete and the project was fully compliant with the resource consent.

In response to a question, Mr Scott confirmed that the dam had no effect on the enjoyment of people swimming in the Lee River. It was agreed that the Council would assist Waimea Water Limited in communicating this message via its media channels.

**Moved Deputy Mayor Bryant/Councillor Mackenzie**

**CN24-11-19**

**That the Tasman District Council**

1. receives the Waimea Water Limited Annual Report 2024 report, RCN24-11-6; and
2. notes the delivery of the Waimea Water Limited Annual Report 2024 in accordance with the requirements of the Local Government Act 2002; and
3. notes the Waimea Water Limited Annual Report 2024 was received after the statutory deadline of 30 September 2024; and
4. notes the Waimea Water Limited Annual Report (or a link to the report) will be published on the Council’s website within seven (7) working days of this meeting.

**CARRIED**

Attachment 1 Waimea Water Limited - Quarterly Update

**7.2 Infrastructure Holdings Limited group board review - amendment of delegations**

Chief Financial Officer, Mike Drummond presented the report which was taken as read.

**Moved Councillor Mackenzie/Councillor Dowler**

**CN24-11-20**

**That the Tasman District Council**

1. receives the Infrastructure Holdings Limited group board review - amendment of delegations report, RCN24-11-7; and
2. delegates decisions following the Infrastructure Holdings Limited Group board review (including any consequential changes to the Shareholders Agreement, Infrastructure Holdings Limited Group constitutions and Joint Policies) to the Joint Committee of Tasman District and Nelson City Councils, to be actioned at the Joint Committee meeting in March 2025.

**CARRIED**

Councillor Greening called for a division.

<b>Bryant</b>	<b>For</b>
<b>Butler</b>	<b>For</b>
<b>Daikee</b>	<b>For</b>
<b>Dowler</b>	<b>For</b>
<b>Ellis</b>	<b>For</b>
<b>Greening</b>	<b>Against</b>
<b>Hill</b>	<b>For</b>
<b>King</b>	<b>For</b>
<b>Kininmonth</b>	<b>For</b>

**Mackenzie** For  
**Maling** For  
**Maru** For  
**Shallcrass** For  
**Walker** For

**CARRIED 13/1**

### **7.3 Nelson Regional Sewerage Business Unit Memorandum of Understanding Renewal**

Waters and Wastes Manager, Mike Schruer and General Manager - Regional Sewerage and Landfill Services, Nathan Clarke presented the report, which was taken as read.

**Moved Councillor Maling/Councillor Dowler**

**CN24-11-21**

**That the Tasman District Council**

- 1. receives the Nelson Regional Sewerage Business Unit Memorandum of Understanding Renewal report RCN24-11-8; and**
- 2. approves the Nelson Regional Sewerage Business Unit Memorandum of Understanding renewal for five years (Attachment 1 of the agenda report).**

**CARRIED**

Item 7.8 - Amendment to the Tasman District Council Traffic Control Devices Register and Traffic Control Bylaw 2016 was considered next.

### **7.4 Nelson Regional Sewerage Business Unit Business Plan 2025/26**

Mr Schruer and Mr Clarke presented the report, which was taken as read.

**Moved Councillor Maling/Councillor Dowler**

**CN24-11-22**

**That the Tasman District Council**

- 1. receives the Nelson Regional Sewerage Business Unit Business Plan 2025/26 report RCN24-11-9; and**
- 2. receives the Nelson Regional Sewerage Business Unit Business Plan 2025-26 (Attachment 1 to the agenda report); and**

**CARRIED**

### **7.5 Draft Public Water Supply Bylaw**

Community Policy Advisor, Cat Budai, Strategic Policy Manager, Dwayne Fletcher, Senior Infrastructure Planning Advisor – Water & Wastewater, Kim Arnold and Mr Schruer presented the report, which was taken as read. Ms Budai summarised the bylaw process.

The officer's recommendation was moved by Deputy Mayor Bryant, seconded by Councillor Dowler.

That the Tasman District Council:

1. receives the Draft Public Water Supply Bylaw report, RCN24-11-10; and
2. notes that a review of the Public Water Supply Bylaw 2016 has been undertaken; and
3. in accordance with sections 155, 159, and 160 of the Local Government Act 2002:
  - 3.1 agrees that the amended Public Water Supply Bylaw 2016 is the most appropriate form of bylaw for the regulation of Council managed water supplies; and
  - 3.2 notes that the amended Public Water Supply Bylaw 2016 does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
4. pursuant to sections 156 and 160 of the Local Government Act 2002, adopts the amended Public Water Supply Bylaw 2016 (Attachment 1 to the agenda report) with effect from 1 January 2025; and
5. authorises staff to publicly notify the amended Public Water Supply Bylaw 2016 and the date it is has effect from; and
6. notes that the Water Supply Bylaw 2016 will need to be reviewed before 28 November 2034; and
7. confirms the [minutes](#) of the 15 October 2024 Public Water Supply Bylaw Hearing and Deliberations Panel meeting as a true and correct record.

Councillor Greening, seconded by Councillor Walker, moved an amendment to the bylaw by the addition of a clause 22(6) 'Council's approval for disconnection should not be unreasonably withheld' to clarify that this was not an open-ended discretion.

Senior Legal Advisor, Jennie McFarlane, and Mr Fletcher answered questions regarding the amendment.

The amendment was carried and became part of the substantive motion.

**Moved Councillor Greening/Councillor Walker  
CN24-11-23**

**That the Tasman District Council**

1. **amends the Draft Public Water Supply Bylaw by the addition of Clause 22(6):  
'Council's approval for disconnection should not be unreasonably withheld.'**

**CARRIED**

The substantive motion was put.

**Moved Deputy Mayor Bryant/Councillor Dowler  
CN24-11-24**

**That the Tasman District Council:**

3. **receives the Draft Public Water Supply Bylaw report, RCN24-11-10; and**
4. **notes that a review of the Public Water Supply Bylaw 2016 has been undertaken;  
and**
3. **in accordance with sections 155, 159, and 160 of the Local Government Act 2002:**

- 3.1 agrees that the amended Public Water Supply Bylaw 2016 is the most appropriate form of bylaw for the regulation of Council managed water supplies; and
- 3.2 notes that the amended Public Water Supply Bylaw 2016 does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
4. pursuant to sections 156 and 160 of the Local Government Act 2002, adopts the amended Public Water Supply Bylaw 2016 (Attachment 1 to the agenda report) with effect from 1 January 2025; and
  - 4.1 amends the Draft Public Water Supply Bylaw by the addition of Clause 22(6):  
'Council's approval for disconnection should not be unreasonably withheld';  
and
5. authorises staff to publicly notify the amended Public Water Supply Bylaw 2016 and the date it is has effect from; and
6. notes that the Water Supply Bylaw 2016 will need to be reviewed before 28 November 2034; and
7. confirms the [minutes](#) of the 15 October 2024 Public Water Supply Bylaw Hearing and Deliberations Panel meeting as a true and correct record.

#### **CARRIED**

#### **7.6 Draft Public Places Bylaw**

Ms Budai and Mr Fletcher presented the report, which was taken as read. Ms Budai summarised the bylaw process.

Questions and discussion included the management of signage, chalk drawings, advertising, obstruction, busking self-regulation, retailer discretionary powers over performance locations and compliance under the draft bylaw.

Councillor Greening moved an amendment which lapsed for the lack of a seconder.

It was noted that Council staff would ensure the new bylaw was well communicated to residents and ratepayers.

#### **Moved Councillor Daikee/Councillor Mackenzie**

**CN24-11-25**

#### **That the Tasman District Council**

1. receives the Draft Public Places Bylaw report, RCN24-11-11; and
2. in accordance with sections 155, 159, and 160 of the Local Government Act 2002:
  - 2.1 agrees that the proposed Tasman District Council Public Places Bylaw 2024 is the most appropriate form of bylaw for addressing nuisance, health and safety matters in a public place; and
  - 2.2 notes that the proposed Tasman District Council Public Places Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and

3. pursuant to section 145 of the Local Government Act 2002, adopts the Tasman District Council Public Places Bylaw 2024 (Attachment 1 to the agenda report) with effect from 1 February 2025; and
4. authorises staff to publicly notify the Tasman District Council Public Places Bylaw 2024 and the date that it has effect from; and
5. notes that the Tasman District Council Public Places Bylaw 2024 will need to be reviewed before 28 November 2029; and
6. confirms the [minutes](#) of the 15 October 2024 Public Places Bylaw Deliberations meeting as a true and correct record.

**CARRIED**

### **7.7 Tasman District Council Cat Management Bylaw 2024**

Ms Budai, Mr Fletcher and Team Leader - Biosecurity & Biodiversity, Guinevere Coleman presented the report, which was taken as read. Ms Budai summarised the bylaw process. The work of former Council staff member, Paul Sheldon, on the bylaw was acknowledged.

**Moved Councillor Mackenzie/Councillor Butler**

**CN24-11-26**

**That the Tasman District Council**

1. receives the Tasman District Council Cat Management Bylaw 2024 report, RCN24-11-12; and
2. in accordance with section 155 of the Local Government Act 2002:
  - 2.1 agrees that the proposed Tasman District Council Cat Management Bylaw 2024 is the most appropriate form of bylaw for addressing perceived problems in relation to the keeping of cats; and
  - 2.2 notes that the proposed Tasman District Council Cat Management Bylaw 2024 does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
3. pursuant to section 145 and 146 of the Local Government Act, makes the Tasman District Council Cat Management Bylaw 2024 (Attachment 1 to the agenda report) with effect from 1 January 2025; and
4. authorises staff to publicly notify the Tasman District Council Cat Management Bylaw 2024 and the date it has effect from; and
5. notes that the Tasman District Council Cat Management Bylaw 2024 will need to be reviewed before 28 November 2029; and
6. confirms the [minutes](#) of the 15 October 2024 Cat Management Bylaw Deliberations meeting as a true and correct record.

**CARRIED**

Councillor Walker requested that her vote against the motion be recorded.



### **7.8 Amendment to the Tasman District Council Traffic Control Devices Register and Traffic Control Bylaw 2016**

Senior Transportation Engineer, Mike van Enter, presented the report and answered questions regarding restricted disabled parking restrictions and the implications of possible weekend market clashes that would need to be resolved.

It was agreed to leave this item to lie on the table to be considered at the 11 December 2024 Tasman District Council meeting following investigation and clarification by Mr van Enter.

#### **Moved Councillor Walker/Councillor Maling**

**CN24-11-27**

#### **That the Tasman District Council**

- 1. agrees to leave the Amendment to the Tasman District Council Traffic Control Devices Register and Traffic Control Bylaw 2016 report to lie on the table.**

**CARRIED**

The meeting was adjourned at 10:45 am and reconvened at 11.00am.

### **7.9 Local Water Done Well - Service Delivery Options**

Group Manager – Community Infrastructure, Richard Kirby, and Council Consultant, Jeff Robinson presented the report, which was taken as read.

Mr Kirby noted that the Council had recently received advice from the Minister of Local Government regarding consultation on proposed fees to be charged to local bodies by Taumata Arowai and the Commerce Commission relating to Local Water Done Well.

The officer's recommendation was moved by Councillor Mackenzie. Councillor Greening foreshadowed an alternative motion to approve investigation of only Option 1. Councillor Mackenzie's motion was seconded by Councillor Maling.

Mr Kirby clarified that there was a requirement to consult on two delivery options.

#### **Moved Councillor Mackenzie/Councillor Maling**

**CN24-11-28**

#### **That the Tasman District Council**

- 1. receives the Local Water Done Well - Service Delivery Options report, RCN24-11-14; and**
- 2. approves investigating, assessing and developing an Indicative Business Case for the following three Delivery Options:**
  - 2.1 Option 1 – Internal Business Unit of division;**
  - 2.2 Option 2 – Single Council-owned Water Organisation;**
  - 2.3 Option 3 – Multi-Council-owned Water Organisation; and**
- 3. approves not progressing with investigating, assessing or developing a Business Case for the following available two Service Delivery Options:**

- 3.1 Option 4 – Mixed Council/Consumer Trust Owned Water Organisation;
- 3.2 Option 5 – Consumer Trust Owned Water Organisation: and
4. notes that Council Officers from Tasman District, Buller District and Marlborough District Councils are meeting to assess the viability of Option 3 (Multi-Council-Owned Water Organisation), including determining joint key milestones and decision timing for each council; and
  5. notes that the Indicative Business Case will include criteria and assessment of how the Council delivers its stormwater activity; and
  6. notes that the Council's Water Services Delivery Plan will be based on ten years and will also report on the impact for the following ten years (a total of 20 years); and
  7. notes that at its meeting on Thursday 27 March 2025, the Council will be considering the Indicative Business Case and approving a consultation document on the preferred service delivery option; and
  8. notes that the consultation period is intended to occur during April/May 2025 on the preferred delivery option compared with at least one other delivery option; and
  9. notes that the final Water Services Delivery Plan must be approved and submitted to the Department of Internal Affairs by 3 September 2025 and that this approval will be sought at the Council meeting on 12 August 2025; and
  10. notes that at this stage, 1 July 2027 is the intended date for the proposed Water services delivery entity to commence operating; and
  11. delegates the Mayor and Chief Executive Officer authority to develop and forward a submission on the Water Services Bill (No.3) subject to the submission deadline not being aligned with the Council meetings on 13 February 2025 or 27 March 2025.

**CARRIED**

Cr Greening called for a division.

<b>Bryant</b>	<b>For</b>
<b>Butler</b>	<b>For</b>
<b>Daikee</b>	<b>For</b>
<b>Dowler</b>	<b>For</b>
<b>Ellis</b>	<b>For</b>
<b>Greening</b>	<b>Against</b>
<b>Hill</b>	<b>For</b>
<b>King</b>	<b>For</b>
<b>Kininmonth</b>	<b>For</b>
<b>Mackenzie</b>	<b>For</b>
<b>Maling</b>	<b>For</b>
<b>Maru</b>	<b>For</b>
<b>Shallcrass</b>	<b>For</b>
<b>Walker</b>	<b>For</b>

**CARRIED 13/1**

**7.10 Chief Executive's Update**

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

answered questions.

**Action:** Chief Operating Officer, Steve Manners to provide more information regarding the analytics required to complete the Digital Innovation project.

**Action:** Ms Rae to circulate the terms of reference from the Office of the Auditor-General regarding the performance audit on the Council's flood protection infrastructure.

### **Moved Mayor King/Councillor Maling**

**CN24-11-29**

**That the Tasman District Council receives the Chief Executive's Update report, RCN24-11-15;**

**CARRIED**

### **7.11 Mayoral Activity Update**

Mayor King presented his report, and summarised the Mayoral activities.

### **Moved Mayor King/Councillor Greening**

**CN24-11-30**

**That the Tasman District Council receives the Mayoral Activity Update report, RCN24-11-16.**

**CARRIED**

## **9 CONFIDENTIAL SESSION**

### **9.1 Procedural motion to exclude the public**

#### **Moved Deputy Mayor Bryant/Councillor Maling**

**CN24-11-31**

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 Referral - Recommendation from the Motueka Community Board - Future use of the Former Motueka Library, Laura Ingram Kindergarten and the Motueka Service Centre**

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.

### 8.3 Property Asset Sales

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</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 was adjourned at 12:25pm and reconvened at 1:45 pm.

#### RESTATEMENTS

It was resolved while the public was excluded:

#### 8.2 Referral - Recommendation from the Motueka Community Board - Future use of the Former Motueka Library, Laura Ingram Kindergarten and the Motueka Service Centre

That the Tasman District Council:

1. agrees to leave the Referral - Recommendation from the Motueka Community Board - Future use of the Former Motueka Library, Laura Ingram Kindergarten and the Motueka Service Centre report to lie on the table.

### 8.3 Property Asset Sales

This item remains confidential at this time.

The Mayor gave the closing karakia and the meeting concluded at 3:20 pm.

Confirmed as a correct record of proceedings by resolution on 11 December 2024.

#### CN24-12-32

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