
MINUTES
of the
FULL COUNCIL MEETING
held
9.30 am, Thursday, 9 August 2018
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Mayor R Kempthorne, Councillors T King, S Bryant, P Canton, M Greening, K Maling, D Wensley, D McNamara, A Turley, S Brown, D Ogilvie, T Tuffnell, P Hawkes, P Sangster

In Attendance: Chief Executive (J Dowding), Executive Assistant (H Simpson), Executive Advisor (K Redgrove)

Part Attendance: Corporate Services Manager (M Drummond), Engineering Services Manager (R Kirby), Acting Environment and Planning Manager (R Smith), Acting Corporate Services Manager (P Darlington), Principal Legal Advisor (L Clark), Strategic Policy Manager (S Flood), Community Relations Manager (C Choat), Property Services Manager (M Johannsen), Activity Planning Manager – Engineering Services (D Fletcher), Project Manager – Engineering Services (C Blythe), Russell Holden, Property Services Officer (M Wilson), Regulatory Services Manager (A Humphries), and Peter Darlington, Executive Assistant to Mayor (S Hutchinson), Principal Legal Advisor (L Clark)

1 OPENING, WELCOME

Mayor Kempthorne welcomed everyone to the meeting and advised those present of the location of the public toilets and fire exits. He also noted the presence of the media, who he advised would be recording parts of the meeting.

2 APOLGIES AND LEAVE OF ABSENCE

Nil.

3 PUBLIC FORUM

The Mayor explained that due to the high level of interest in this meeting, Council had publically notified that anyone wishing to speak at the public forum must have registered their desire to speak at least 24 hours prior to the meeting. He said that the time for public forum had been extended to allow 30 minutes to those wishing to speak in opposition to the proposed Waimea Community Dam,

30 minutes for those wishing to speak in support of the Dam, and 30 minutes for those wishing to speak on any other topic that fell within reference of the meeting. No speakers had registered to speak on any topic other than the Dam.

The Mayor advised that speakers would have up to 5 minutes each. If each speaker used their full allocated time of 5 minutes, this will allow for 6 speakers AGAINST and 6 speakers FOR. As more than 6 people wished to be heard, there were also a number of reserve speakers. The reserve speakers would get the opportunity to speak, only if the confirmed speakers did not use their full allocation of time.

Colin Johnson said that he had not registered to speak at the meeting, but requested the opportunity to present a petition to Council and speak to that petition. The Mayor advised Mr Johnson that as he had not notified Council of his wish to speak in advance, it would not be fair to the other speakers or members of the community to allow him that time. On behalf of the Council the Mayor accepted the petition, which sought an amendment to Standing Orders to remove the use of the Mayor's casting vote.

Murray Dawson spoke in opposition to the proposed Waimea Community Dam. Mr Dawson said that he felt Council had all of the information they needed to make a decision on whether to proceed with the project and suggested that decision be made at the meeting today. Mr Dawson said that Councillors should vote to end all work to proceed with the project, which he said was what the community wanted, and that in doing so they should be willing to face whatever the consequences of that decision would be.

Paul McLennan spoke in opposition to the proposed Waimea Community Dam. He talked about the project costs being higher than anticipated. In particular, he spoke about the estimated cost indicated in item 8.8 for clearance of the site and disposal of waste. Mr McLennan said that he did not think these estimates were sufficient and that this work would exceed the estimated costs.

Maxwell Clark spoke in opposition to the proposed Waimea Community Dam. Mr Clark expressed concern that the proposed Dam site was on a known fault line. He said that should the project proceed, this posed a particular risk to the Brightwater township. Mr Clark also expressed his concern about the cost of the proposed Dam and the impact this would have on the Council's ability to fund other work in the District. He said that should the project proceed, the increase to ratepayers would be unaffordable.

Dr Roland Toder spoke in opposition to the proposed Waimea Community Dam. Dr Toder said he felt the Council needed to consider project management advice from an international platform, as this would bring a wider scope of experience to the project. He said that Council had not had the ability to consider the project thoroughly enough as their knowledge was limited by experience.

Mike Waring said that he was speaking on behalf of small holders in the Redwood Valley scheme. Mr Waring said that he was opposed to the proposed Waimea Community Dam. He talked about the process observed for charging of the Redwood Valley scheme, which he said was an example of how democracy should work. Mr Waring said he felt that a referendum on the Dam had been prevented by use of the Mayor's casting vote. He urged Councillors to consider taking the issue to the community in the form of a referendum. Mr Waring also expressed concern about the potential cost of the Dam.

Tony Lawton spoke in opposition to the proposed Waimea Community Dam. Mr Lawton said that the people of Golden Bay were opposed to a ratepayer funded Dam and felt that they had not been listened to. He said that he supported a referendum on the Dam. Mr Lawton said that the total costs of the Dam were still unknown and asked how Councillors could be sure that the estimated costs would not increase again. Mr Lawton said he thought that Councillors should abstain from voting on the Dam. He said that the issues faced by irrigators were not the ratepayers problem. Mr Lawton

also mentioned management of three waters and said that Council and the community should work with Central Government on a more holistic approach to water management.

Doug Donaldson spoke on behalf of Ian MacLennan, who was listed as a reserve speaker. Mr Donaldson said that he did not feel the time remaining in public forum (3 minutes) was sufficient to talk to the issue on Mr MacLennan's behalf. The Mayor invited Mr Donaldson to table the speech prepared by Mr MacLennan and asked whether he would like to summarise the main points in the time remaining.

Mr Donaldson spoke about the cost analysis prepared by Mr MacLennan, which the Mayor advised had already been sent to Council officers for independent peer review. Mr Donaldson also tabled a copy of Mr MacLennan's speaking notes.

Peter Wilson spoke on behalf of Nelson Marlborough Fish & Game Councils New Zealand. Mr Wilson said that Fish and Game recognised the current funding difficulties associated with the proposed Dam, but that their focus was on ensuring the health of the Waimea River. He said that the health of the river was more compromised under the no Dam scenario. Mr Wilson said that the advice to Council from Fish and Game was to build in an even larger environmental buffer than proposed, i.e. more water stored in the Dam to mitigate against the risk of the higher quality water standards expected to be introduced by Central Government in the future. He said that Council need to lift standards to make them more stringent on water quantity and quality and that low flows of the river under the no Dam scenario are of high concern to Fish and Game.

Brian Mills and Doyle Richardson spoke on behalf of Alliance Group. Mr Richardson spoke to Council about the work of the Nelson plant and the benefits of this work to the top of the South Island. Mr Richardson talked about the impacts of water restrictions under the Water Supply Bylaw should the Dam not proceed. He said the impact not only to Alliance Group, but to the community at large, would be significant. He said Alliance Group needed assurance from the Council of a secure future water supply to enable continuation of this work and of their services to the community. Mr Richardson also talked about the number of locals employed by Alliance Group and expressed concern that these employment opportunities would cease should the work of the company be compromised.

Nick Martin and Grant Wilson spoke on behalf of Pharmalink. Mr Wilson spoke about the services Pharmalink provide and their work in the community. He talked about the impacts of not having a secure water supply and said that this would severely affect the organisations ability to continue to operate and meet the needs of the community and its commitments to its suppliers. Mr Wilson also talked about the impact to employment in the region. He said the plant employed 30 staff locally and were in the process of increasing their capacity for service, which would create employment opportunities for another 30 full time positions. He said that Pharmalink also contracted to locals.

Mr Martin said that while Pharmalink were in support of the Dam proposal, they also recognised this wasn't a solution in its entirety and said that all users should look to employ good water management practice to support their water use.

Chris Win spoke on behalf of Fonterra and said that he was talking as a commercial operator and not on behalf of the irrigators. Mr Win said that in order for the commercial plants to operate, they needed water. He said that they employed 45 highly skilled people from the community and that these jobs would be at risk if the plants could not continue to operate. Any impact on water use will cause a significant decrease in milk production, which would greatly affect Fonterra's ability to meet supplier demands, including the needs of Tasman and Top of the South communities. Mr Win said that like many commercial operators, Fonterra were considering the part they could play in reducing their water use. He said that Fonterra were working to identify ways in which they could reduce

water use in their plants and their target is to reduce use by 20% through implementing other efficiencies.

Mr Win put the question to Councillors that if not a Dam, what would the solution for future water augmentation in the District be. He asked Councillors in light of recent and continued growth in the region, whether there would be a secure legacy for people in the community to leave to future generations.

Murray Sturgeon spoke on behalf of Nelson Pine Industries (NPI). He talked about the commercial activities of the company and the impact this had on the community and on other businesses in the region. Mr Sturgeon said that the threat of an unsecured water supply should the Dam not proceed would seriously impact the organisations ability to continue to operate. He said the flow on impacts to those NPI supplied would have significant impacts across the District and the country. Mr Sturgeon said that the impacts of not proceeding with the Dam were serious and a risk that Council should consider.

Mr Sturgeon also talked about previous decisions of Council for urban housing development including Special Housing Areas and said that Council now had an obligation to ensure a secure water supply to those homes. Any decision not to proceed with a water augmentation solution, such as the Dam, could jeopardise existing and future development. Mr Sturgeon said he also felt the name of Waimea Irrigators Limited was not an appropriate name for the group, as the augmentation project would benefit everyone in the district.

Geoff Hunter spoke on behalf of Cedenco. Mr Hunter spoke about the commercial activities of Cedenco in the District. He talked about the staff employed in the District and the work the company offered to seasonal workers. He also talked about the contribution the organisation made to the local economy. Without the Dam, Mr Hunter said that Cedenco's ability to operate and offer future employment would be severely impacted. Mr Hunter urged Council to make a decision to ensure a secure future for the District. He asked what the alternatives to the Dam were for water augmentation in the District and whether these offered the same security.

Mr Hunter said that Council should not have approved any new developments unless they were certain of a secure future water supply. He said that if Council decided not to proceed with the Dam, they should halt these developments.

He said that the whole region should be responsible for paying for essential infrastructure. Weather extremes would become the new norm and Council had an obligation to ensure future security for the District.

At the end of Public Forum, an allowance of 5 minutes was agreed for Colin Johnson to speak to the petition he'd presented earlier. When called, Mr Johnson was no longer present to speak.

The meeting broke for morning tea at 10.54am and was reconvened at 11.14am.

4 DECLARATIONS OF INTEREST

Cr Greening asked for his position as a Director of Nelson Airport Limited to be noted in relation to item 8.6 on this agenda (8.6 Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units).

5 LATE ITEMS

Nil

6 CONFIRMATION OF MINUTES

It was noted that, although the resolution relating to the Waimea Water Augmentation Scheme – Local Bill Report RCN18-06-14 had been carried with a majority, it had not been passed unanimously. The Mayor confirmed he would write to Minister Nick Smith to confirm that position.

A minor typing error was noted in the resolution for item 8.7 on proposed speed limits. Councillors asked that this error be corrected.

Moved Cr Wensley/Cr Hawkes CN18-08-2

That the minutes of the Full Council meeting held on Thursday 28 June 2018, be confirmed as a true and correct record of the meeting.

CARRIED

Moved Cr Ogilvie/Cr Brown CN18-08-3

That the minutes of the Full Council meeting held on Wednesday, 1 August 2018, be confirmed as a true and correct record of the meeting.

CARRIED

8 REPORTS

8.8 Waimea Dam Project Report

Chief Executive Janine Dowding advised that this was an information report to provide a project status update to Councillors. Councillors noted the supplementary information to this report that had been previously circulated and copies of which were also tabled on the day.

Councillors confirmed they had agreed to meet on 28 August 2018 to consider all of the information on the Dam and in all likelihood make a decision. Mrs Dowding noted the very tight timeframes between this meeting and when the agenda for the 28 August meeting was due and asked Councillors to be mindful of the ability of staff to report back within those timeframes.

When asked about the feasibility of reporting back on the suggested items, Engineering Services Manager, Richard Kirby advised that staff would report back on what had been agreed by Council as the most viable alternatives.

Concern was expressed that the 2015 costings for the dam were not updated or reviewed prior to the Council's Waimea Dam consultation in 2017. Clarification was further sought for the reason why the 2015 Plan B figures were reviewed by the Engineering Manager for the purpose of Waimea Dam consultation, while the 2015 figures for the Waimea Dam were not given the same level of scrutiny. In response, Mr Kirby stated that the 2015 costings for the Waimea dam had already been subjected to a high level of scrutiny previously, whereas the Plan B options had not received the same attention so therefore needed updating.

Councillors asked for clarification in terms of the urban water picture of the volumetric and funding loss for industrial users. Mr Kirby said that a number of commercial entities would not be able to draw water, even if they had invested in Waimea Irrigators Limited (WIL). He said that those already connected to the urban water supply would continue to get their supply from

Council. Responding to a follow-up question, Mr Kirby said that the expectation would be that Nelson Pine Industries (NPI) would continue to get their supply from Council, despite choosing to buy shares in WIL to support the overall project.

Councillors discussed what information was particularly material to Council's decision making noting advice from staff that it was for Council to decide what information it needed in order to make a decision in the best interests of the District. Councillors agreed that a report back to 28 August meeting should contain detail on the viability of alternative options and on funding options for the shortfall. Councillors noted that there would be some cost to continue to investigate and provide this information.

When Councillors asked whether there was sufficient time to peer review the information being collated for 28 August meeting, they were advised that much of the information had already been independently peer reviewed throughout the course of the project. They also noted that the 15 December 2018 deadline for Crown funding did not leave much time for delay.

Councillors requested analysis be included in the report back to 28 August meeting of the risks associated with making a decision to proceed with the Dam.

In response to a question, Corporate Services Manager Mike Drummond advised that should Council make a decision not to proceed with the Dam, the Crown funding through CIIL and the Freshwater Improvement Fund will not be available. He said that both pieces of funding were related specifically to the proposed Dam project. In response to a follow-up question, Mr Drummond advised that the deadline of 15 December 2018 had been set by the Minister, who has advised that there is no extension available. The provision is that Council must have financial close before 15 December 2018 for this funding to be available.

Council's ability to make a robust and informed decision at its meeting today was discussed. The Chief Executive advised that should Council make a decision today, in the absence the information it had requested and agreed be reported back to the 28 August meeting, it could expose itself to risk of judicial review.

Councillors asked what the anticipated cost of work between now and 28 August was expected to be. Mr Drummond said that the expenditure on progressing the Land and Access work stream would be minimal. There would be some cost for seeking the independent advice requested by Councillors. The Project Office would continue to operate at its normal cost. Responding to a follow up question, staff advised that the Land and Access agreements would not be signed prior to the 28 August meeting. The draft documents were with the relevant parties for consideration and there was no direct cost for staff time.

Responding to a question, Mr Drummond said that the cost of his continued work on the project to the 28 August was a Corporate Services cost overhead.

Councillors requested information be included in the 28 August report on the modelling of the scheme.

Mayor Kempthorne told Councillors that he had received letter from WIL offering their commitment towards working to bridge the funding gap. The Mayor said he had been advised there was some commercial sensitivity to the letter and that he would share it in confidence with Councillors and council officers.

In response to a question, Mr Drummond said that the Joint Venture partners were working to determine a structure that would bridge the funding gap in time to report back to 28 August meeting. He said that it would be premature for Council officers to comment on what that might look like at this stage.

The extractor pays model and the risks of oversubscription were discussed and Councillors requested staff include in the report to 28 August meeting commentary on the risk of only having a 2% contingency.

The longevity of the project and the absence of a simple and cheap alternative was discussed. Councillors agreed that funding of the Dam has become a divisive issue. They noted that an alternative water augmentation project for the District would be no more or less affordable whether done collectively or independently. The question is of the benefits lost or gained – i.e. environmental benefits.

The risks that Council needs to consider were discussed. Councillors were advised that the alternatives to the Dam were just as risky and just as expensive. The Dam proposed to try and address all of the issues with one solution. Council acknowledged that the decision would not be any easier at the 28 August meeting, but that it would be the appropriate time to make it.

Councillors asked for inclusion in the 28 August report of the impacts of minimum flow increase to 1300lps. They also asked for qualified comments on the Oxford Study, particularly around the impact of price and the way this had been worked out.

The risk to the Richmond town water supply through over commitment to irrigation was discussed. Councillors asked about the connection between river and aquifers when approaching low flow. Mr Kirby said that the model had been Council peer reviewed and that a report had gone to a previous term of Council. He said that this report was publically available and that it confirmed water could flow and the model does work.

The potential for change to central Government regulation of potable water for urban supplies was discussed in relation to the Government three waters review. Councillors questioned whether it was prudent to commit to such a significant project when a decision might come from central Government to take over water management. When Councillors asked whether the risk around this could be commented on in the report to 28 August, Mr Kirby advised that the direction of central Government was unknown and that staff could not report back on this. He said that Government had indicated a desire to look at aggregating water supplies under a community owned model. A report was expected to go back to the Minister in October on the review, but any comments staff could make would not help Councillors with their decision as there was no certainty of outcomes, other than the indication that there will be an independent regulator. Councillors asked for there to be something in 28 August report to indicate that Council had considered this in their decision making.

Councillors discussed the certainty of funding from Nelson City Council. Mr Drummond said that should the Dam proceed, the \$5m grant from Nelson City Council linked to cross boundary water supply and any agreement would be binding. He said that Nelson City Council would be contractually obliged to make that payment.

Councillors said that it had not always been clearly communicated that the P95 was in relation to the construction costs only.

When asked whether there would be provision in the contracts to enable work to be paused, Mr Drummond advised that it was not easy to pause work being done under the Public Works Act process.

Responding to a question, staff advised that the biggest costs currently being incurred were for the Tonkin and Taylor work streams underway. If Council decided on 28 August not to proceed with the Dam, staff would have to negotiate with Tonkin and Taylor how the terms of those contracts could be changed. No costs could be reimbursed if the Dam does not proceed and so

regardless of a decision to proceed or not, the costs outlined in the table within the report would be borne by Council.

Councillors asked about the Provincial Growth Fund application. They heard that the Chief Executive had been made aware late in the piece that an application could be considered for funding towards a regional water scheme. The Chief Executive said that she had advised Councillors an application was being prepared, before the application was lodged. She said that a meeting of Council could not have been convened to consider whether to make an application before the deadline to lodge. She said that the action taken to lodge an application did not expose Council to any irreversible action and that this action had been taken with the endorsement of the Mayor. The Chief Executive said that there was no guaranteed outcome, but that should the application be successful a decision would come to Council to determine whether or not to accept the funding.

Councillors asked whether this application would preclude Council from making an application to Provincial Growth Fund for other projects, namely those discussed at the 5 April 2018 Full Council meeting, and were advised that discussions with Nelson and Marlborough Councils continued. The Chief Executive said that the Dam project was a separate issue and that the shortfall had not been known in April. She advised Council that to have not made an application would have been irresponsible as it would have limited Councils options. Any one application does not impair the overall proportion of funding that might come to a region, and so does not impair a Council's ability to apply for funding for other projects.

The Chief Executive said that her intention in making the application was in line with and appropriate to her responsibility as Chief Executive to serve the best interests of Council and the District by seeking the opportunity of funding that could help to close the gap.

Councillors noted that advice from the Provincial Growth Fund indicated the proposed Dam scheme would not be considered a large scale irrigation scheme. The economic and environmental benefits are what allow for the project to be considered by the Provincial Growth Fund as it is these public good components that give alignment with the fund.

Responding to a question, the Mayor said that it was entirely appropriate for the Chief Executive to seek direction from the Mayor in the absence being able to seek direction from the whole Council at a properly constituted meeting. This fell within the remit of the Mayor's role.

Increased investment by commercial operators to bridge the funding gap was discussed.

Site access, clearing of the roading/dam footprint and the process for this work was discussed. Councillors noted that additional information on the methodology would be included in the 28 August report. Staff said that it would not be possible to report extensively on mixed options in time for the 28 August meeting, but that the feasibilities, risks, advantages and disadvantages of a mixed approach would be reported back to that meeting to enable Council to make an informed decision.

Councillors asked for a reasonable comparison of the costs for urban water consumed under the 'plan B' options to be included in the report to 28 August. They also asked for the risks to reported on, under a 'worst case scenario' should the Dam proceed.

Moved Cr Maling/Cr King CN18-08-4

That the Full Council

- 1. receives the Waimea Dam Project Report RCN18-08-01; and**

2. notes a funding application to the Provincial Growth Fund requesting a grant of \$18m to support the project was lodged on 30 July 2018; and
3. notes that the additional information, including the additional matters raised by Councillors at the meeting, will be covered in an officers report to the 28 August 2018 Full Council Meeting.

Councillors McNamara, Turley and Wensley asked that their votes AGAINST be recorded.

CARRIED

The meeting broke for lunch at 1.03pm and was reconvened at 1.35 pm with Deputy Mayor King chairing. Mayor Kempthorne returned to the meeting shortly after it reconvened.

7 PRESENTATIONS

Mr M Lile and Mr M Griffin (Applicant) - Special Housing Areas Application for Angelus Avenue

Mr Lile confirmed a request had been made for a change to the gazetted maximum building height for the Special Housing Areas (SHA). He explained the application of the height provisions under the Tasman Regional Management Plan (TRMP) and how those impacted on the proposed development. Concept plans were circulated by Mr Lile, to assist with Councillors' understanding of the issues.

Reference was made to the Urban Design Panel process that helps Council achieve design objectives. It was through that process that the Panel identified the building height restrictions should be adjusted. Full details were given in the staff report that followed.

The presenters provided responses to questions of clarification raised by Councillors.

8.1 Special Housing Areas

The Urban Growth Co-ordinator confirmed the amendment in height restrictions was a technical change and did not affect the height of the buildings as they were proposed.

**Moved Cr Sangster/Mayor Kempthorne
CN18-08-5**

That the Full Council

1. receives the Special Housing Areas RCN18-08-02 report; and
2. agrees to recommend to the Associate Minister for Housing and Urban Development an amendment to the criteria for qualifying developments in Schedule 3 Richmond (Angelus Avenue) SHA to increase the maximum building height from 7.5m to 10 m.

CARRIED

The Mayor took over the chairing of the meeting from Deputy Mayor King.

8.2 Future Development Strategy

The Environmental Policy Manager explained the information in the report was drawn from discussions at two joint workshops with Nelson City Council. The intention was that the Strategy was to be completed by July next year. The timing would ensure this could then feed into the

next round of Long Term Plan (LTP) reviews and consultation.

He explained that the proposed timeframes represented those that both Councils were comfortable with. The preference was to have a more concise strategy prepared within a year, drawing on existing information, rather than a larger, more comprehensive process to develop a strategy.

The Environmental Policy Manager went on to explain that growth was identified as being spread across the region and how the strategy would result in a significant input into the District Plan process. It was accepted that growth would be concentrated around the Nelson/Richmond urban area but that there were other areas that would also be similarly affected. He confirmed that the Strategy would work through these considerations and generate further discussion

The meeting discussed stormwater and floodwater issues at Motueka. The Environmental Policy Manager confirmed that a significant body of work had been carried out on these issues. He anticipated a staff report would be considered at a meeting of the Engineering Services Committee.

The Activity Planning Manager advised that there was a commitment to work through the stormwater issues in Motueka and modelling is currently being calibrated. He clarified that planning for stormwater infrastructure and corridors for growth in both Motueka and Richmond had taken place.

The Corporate Services Manager, in response to a question raised, confirmed the income in the Rates Growth Fund is sourced from the general rate. The level of this fund would usually be between \$200,000 and \$300,000 in any one year.

Cr Hawkes left the meeting at 2.08 pm.

**Moved Cr Tuffnell/Cr Maling
CN18-08-6**

That the Full Council

- 1. agrees to the development of a Future Development Strategy RCN18-08-03 for the Nelson/Tasman region in partnership with Nelson City Council; and**
- 2. agrees to additional spending of up to \$75,000 to fund the production of a Future Development Strategy to be funded from the Rates Growth account.**

Cr Ogilvie wished to have his vote against the motion recorded.

CARRIED

8.3 Nelson Tasman Land Development Manual

**Moved Bryant/Cr McNamara
CN18-08-7**

That the Full Council

- 1. receives the report Nelson Tasman Land Development Manual report, RFC18-08-04; and**
- 2. approves for public consultation from 13 August to 28 September 2018:**

- a) the draft Nelson Tasman Land Development Manual (Attachment 1) and draft practice notes (Attachments 2, 3 and 4) under the Local Government Act 2002; and
 - b) a draft plan change to the Tasman Resource Management Plan (Attachment 5) under clause 34 of the First Schedule of the Resource Management Act 1991; and
3. delegates the hearing of feedback and comments to a joint hearing panel comprising Councillors King and Bryant as members of the Steering Group plus Councillor Wensley, or their substituted representatives with the prior approval of the Mayor, together with three Nelson City Council Councillors; and
 4. delegates to the hearing panel the power to make recommendations to the Tasman District and Nelson City councils to adopt or amend the Nelson Tasman Land Development Manual and associated practice notes.

CARRIED

Cr Hawkes re-joined the meeting at 2.19 pm.

8.4 Richmond and Motueka Town Centre Parking Strategy

The Activity Planning Manager and Activity Planning Advisor spoke to the report. They explained the Strategy was designed to support alternative transport modes but would also cater for long and short term parking. It was anticipated charges would apply to long term parking and that paid parking would be introduced only where viable alternative transport options were available

They said that most of the items within the proposed Strategy already had funding under the LTP but some don't. Those shortfalls will be addressed by proposals in future Annual Plans or on review of the LTP.

The meeting were briefed on matters that were considered by the panel that heard submissions on the Parking Strategy. The panel had taken into account the need to remain consistent with the Climate Change policy that sought to reduce car emissions. They had also considered safety issues, facilitating the movement of traffic around the central Richmond area in a comfortable way and how to encourage people to walk, bus or cycle.

Councillors expressed their hope that good communication of the provisions would be addressed when implementing the Strategy and that technology could be made available, for example a mobile application or similar, to provide information about the availability of parking. Clear signage and electronic options for payment of parking fees should also be encouraged.

The Activity Planning Manager confirmed those more detailed aspects would be considered and reviewed at implementation. This report was concentrating on the overall Strategy for parking in these areas.

The meeting adjourned for afternoon tea at 2.57 pm and reconvened at 3.07 pm. Cr Sangster was absent.

An amendment to the recommended motion was moved:

Moved Cr Greening/Cr Hawkes

That the Full Council

1. receives the Richmond and Motueka Town Centre Parking Strategy report RCN18-08-05; and

2. approves and adopts the Richmond and Motueka Town Centre Parking Strategy included as Attachment 1 to this report, with the following amendment:
3. requests that paid for parking is not introduced and instead greater use of restricted parking and free long term parking outside the Central Business District is supported.

LOST

**Moved Bryant/Cr Wensley
CN18-08-8**

That the Full Council

1. receives the Richmond and Motueka Town Centre Parking Strategy report RCN18-08-05; and
2. approves and adopts the Richmond and Motueka Town Centre Parking Strategy included as Attachment 1 to report RCN18-08-05.

CARRIED

**Moved Cr Maling/Cr King
CN18-08-9**

That the meeting be extended until such time as all items of business on the agenda have been considered.

CARRIED

8.6 Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units

It was clarified this Policy covered Tasman District Council appointments and did not include any iwi representative. It was anticipated such a provision would be discussed at a future date.

Cr Sangster returned to the meeting at 3.14 pm.

**Moved Cr Canton/Cr Hawkes
CN18-08-10**

That the Full Council

1. receives the Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units RCN18-08-07 report; and
2. approves the Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units as attached to report RCN18-08-07.

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

**Moved Bryant/Cr King
CN18-08-11**

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:

9.2 Proposed Land Acquisition - 520 Hill Street South

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.

CARRIED

The meeting resumed in open session at 3.40 pm.

8.5 Proposed Harbourmaster Facility at Port Motueka

The Property Services Manager spoke to his report and answered points of clarification. The Corporate Services Manager explained the way in which the project would be funded.

The Corporate Services Manager confirmed the proposed investment in the facility was consistent with the intention of the associated funding and would provide a significant asset for Port Motueka. He believed there was tangible benefits that would flow back into the boating community in Motueka and this was the rationale behind the recommendation in this report.

There was general support amongst Councillors for the facility but not all were in favour of the funding model that was being recommended. The preference was that this be funded by way of a loan.

Concern was also expressed about the position of the building as the Motueka Arts Council had hoped to secure part of the proposed footprint to site a sculpture that was to be purchased with the proceeds of fundraising initiatives. There was a possibility the main sponsor of the sculpture may not provide funding if the position of the sculpture is compromised by surrounding building/s.

The Property Services Manager advised the meeting there had been discussions about having public toilets within the new facility. It was decided these should be excluded in the interests of saving costs. He went on to say that the construction of the facility would maximise the use of land that Council already owns. This represented a considerable saving compared to the cost of purchasing commercial land for this purpose.

Councillors queried the seemingly high cost of the proposed build. The Property Services Manager explained the plans represented a good quality and fully compliant commercial building and the costings included a reinforced concrete floor, connections to utilities, provisions for security and fencing around the compound. The new facility also provided office space for the Harbourmaster, who would be based there. This would free up valuable space at the Council's Richmond Office.

The Regulatory Services Manager confirmed the facility will make it a far more efficient and 'clean' service in relation to the travelling the Harbourmaster currently undertakes. He advised that approximately 50% of the rescues are in the Motueka area and so it would be logical to site the facility there. It was also the most central point of the District's coastal areas.

The benefits of ownership of the facility were weighed against the merits of funding by way of a loan. The Corporate Services Manager explained the cost of the facility could double if the ownership approach was changed to loan funding.

Cr Sangster left the meeting at 3.56 pm.

Councillors discussed the position of the building and accepted it would be difficult to move the site of the facility to accommodate positioning of a sculpture. Ward Councillors confirmed they would liaise with Council staff and the Motueka Arts Council to discuss the matter further.

It was suggested that, instead of the proposed commercial building, a fenced storage area would suffice. The Regulatory Services Manager explained there would be significant wear and tear on the boat and the other materials if they were to be stored outside and left open to the elements.

**Moved Cr Ogilvie/Cr Hawkes
CN18-08-12**

That the Full Council

- 1. receives the Proposed Harbourmaster Facility at Port Motueka RCN18-08-06 report; and**
- 2. approves a 20 year loan of up to \$550,000 from the Motueka Harbour and Coastal Works Reserve Fund for the purpose of the construction of the proposed Harbourmaster Facility at Port Motueka.**

CARRIED

**Moved Cr Hawkes/Cr Wensley
CN18-08-13**

That the Motueka Ward Councillors liaise with the Motueka Arts Council and the Motueka Community Board regarding alternative sites for the proposed sculpture.

CARRIED

8.7 Corporate Services Quarterly Report to end of June 2018

The Corporate Services Managers responded to questions of clarification put by Councillors.

The newly appointed Principal Legal Advisor, Lucy Clark, was introduced to Councillors and welcomed to the Tasman District Council.

**Moved Cr Ogilvie/Cr Maling
CN18-08-14**

That the Full Council

1. receives the Corporate Services Quarterly Report to end of June 2018 RCN18-08-08 report; and
2. notes the documents that have been signed under delegation as set out in section 8.2; and
3. approves the s17A service delivery reviews as attached to report RCN18-08-08.

CARRIED

8.9 Ratepayer Communication Regarding the Waimea Community Dam

The Community Relations Manager spoke to his report. Councillors discussed the accuracy and balance of Council's communications. They heard that proposed headlines would be issued in advance and a full draft provided to senior managers and Councillors before publication. The aim was to produce clear, simple and accurate communication to the public.

It was suggested that any communication before the next Council meeting on 28 August would be redundant because although it would inform the public, it would not facilitate their feedback.

The Chief Executive explained the basis of the recommendation in the report was to achieve balance against the information being released by other organisations. She was concerned conflicting information was still causing misunderstanding and confusion in the community about what the issues actually are. She said there was, in any event, a need for ongoing communication about water supply in the District as a whole.

Councillors supported publication of information in local papers as well as in Newsline, they requested an audit of information currently on the 'Waimea Water' website and suggested a reference be made in Newsline that up to date information is available on the 'Waimea Water' website.

**Moved Cr Brown/Cr Hawkes
CN18-08-15**

That the Full Council

1. receives the Ratepayer Communication Regarding the Waimea Community Dam report RCN18-08-10; and
2. agrees to the use of a regular column within subsequent issues of Newsline to enhance engagement on water management as it develops and answer questions as they arise.

CARRIED

8.10 Mayor's Activity Report

The Chief Executive clarified the process that led to the application to the Provincial Growth Fund being made to seek further funding towards the proposed Waimea Community Dam and explained that the timeline involved had been very tight.

The Mayor provided further details of his recent meeting with the Nick Smith, MP and Jacqui Dean, MP, in her capacity as Spokesperson for Local Government. He confirmed this discussion

centred around remuneration for Elected Members.

Moved Cr Maling/Cr Tuffnell

CN18-08-16

That the Tasman District Council receives the Mayor's Activity Report RCN18-08-11.

CARRIED

Cr Maling left the meeting at 4.43 pm.

8.11 Chief Executive's Activity Report

The Chief Executive advised Councillors she hoped to report back to them on the recent Capability and Capacity Review at Council's meeting in September. She confirmed she had some ideas arising from the recommendations and intended to have further conversations with staff ahead of that update.

She reported there had been some constructive conversations between the parties that are interested in the preservation and restoration of the Golden Bay Grandstand.

Moved Cr Canton/Cr Hawkes

CN18-08-17

That the Full Council

- 1. receives the Chief Executive's Activity Report RCN-18-08-12 report; and**
- 2. accepts the submission attached to this report (attachment 1) previously forwarded to the Ministry for the Environment on the discussion document 'Our Climate. Your Say'; and**
- 3. agrees to make a submission in support of the points made in the draft SOLGM submission on the Local Government Regulatory Systems Amendment Bill, with the addition that the Select Committee also considers amending the Local Electoral Act to enable local authorities to hold a poll on electoral systems at any time, with the implementation dates remaining as per the existing Act.**

CARRIED

Moved Mayor Kempthorne/Cr Ogilvie

CN18-08-18

That the Council formally record their thanks to the Chief Executive for her role in the recent challenging issues experienced in the first few months of her tenure.

CARRIED

8.12 Annual Report from the Chair of the Audit and Risk Committee

Moved Mayor Kempthorne/Cr Greening

CN18-08-19

That the Full Council

1. receives the Annual Report from the Chair of the Audit and Risk Committee RCN18-08-13 report;

CARRIED

8.13 Machinery Resolutions Report

**Moved Cr Canton/Cr Brown
CN18-08-20**

That the Tasman District Council

1. receives the Machinery Resolutions report RCN18-08-14 and that the execution of the following documents under the Seal of Council be confirmed:
 - Easement in Gross – Mahana Ridge Limited – RM170846 and RM160528 – Easement in Gross to allow public access to Trafalgar Road (Street?)
 - Agreement to Grant Easement – Barry Norman and Tracy Sara Green - Agreement to Grant Easement to allow construction of the Tasman Great Taste Trail.
 - Grant Easement, Partial Surrender and Authority and Instruction form – Mapua Coastal Village – RM140364 – Stage F partial surrender of easement for right to drain sewage, right to convey electricity, telecommunications and computer media in gross. New easement is the right to drain sewage in gross.
 - Easement in Gross, Easement for Irrigation and Authority and instruction form – Arizona Land Ltd – RM160629 – Easement in gross for sewage Arizona and easement over a reserve.
 - Easement Instrument – Kevin Williams Boutton and Roaslie Grace Boutton – RM170460 – The Easement is to ensure Tasman District Council has access to the water pipes in the ground on the new Lot 1 which are a part of the eighty eight Valley Stream supply network/. The applicant will split the supply so that Lot 1 and Lot 2 can use the supply – 236 Lord Rutherford Street.
 - Lease - Brooks Auto Painters and Can Plan Nelson Ltd – Lease of vacant land at 13 Fittal Street, Richmond.
 - Easement – Tasman District Council and Heslops – RM180555 – To create right of way easement in Gross, Reason – to reach and maintain council stormwater detention and public access along walking track - 216 Champion Road, Richmond

CARRIED

The meeting concluded at 4.56 pm.

Date Confirmed: 27 September 2018

Chair:

Confirmed