
MINUTES
of the
FULL COUNCIL MEETING
held
9.30am, Thursday, 7 September 2017
at
Tasman Council Chamber, 189 Queen Street, Richmond

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

In Attendance: Chief Executive (L McKenzie), Corporate Services Manager (M Drummond), Environment and Planning Manager (D Bush-King), Engineering Services Manager (R Kirby), Community Development Manager (S Edwards), Executive Assistant (K Redgrove) and Executive Assistant (R L Scherer).

Part Attendance: Finance Manager (R Holden), Transportation Manager (J McPherson), Programme Delivery Manager (R McGuigan), Utilities Manager (M Schruer), Senior Management Accountant (M McGlinchey), Activity Planning Manager (D Fletcher), Project Manager (C Blythe), Asset Engineer - Waste Management/Minimisation (D Stephenson), Policy Advisor – Contractor (S Holman), Senior Property Officer (R Cant), Information Services Manager (P Darlington), Strategic Policy Manager (Sharon Flood), Policy Officer (S Hartley), Information Management Administrator (N Kolk), Property Services Manager (M Johannsen)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr Tuffnell/Cr Maling
CN17-09-1

That apologies be accepted from Councillor Canton and for lateness from Councillor Sangster
CARRIED

3 PUBLIC FORUM

Lew Solomon

Mr Solomon referred to the Newsline Publication from August 2017 and the information provided on water useage on the front page of that media. He considered those figures were 'good news' because they evidenced that the residents of Richmond would be able to satisfy Stage 2 water rationing without difficulty. This challenged the need for a dam. He referred to a number of water use studies he felt were comparable. He also mentioned existing water leaks in the area which he believed contributed to water use issues.

Murray Dawson

Mr Dawson spoke on the subject of environmental flow and referred to the latest publication of Newsline. This had confirmed the \$7 million grant from the Ministry for the Environment. He did not consider the money granted had any connection with the biodiversity requirements for the proposed Waimea Community Dam. He referred to the Cawthron Report. He wished Council to record details for and against voting in relation to the in committee report on the Waimea Dam Joint Venture proposal that would be considered later in the meeting.

Peter Blasdale

Mr Blasdale from the Golden Bay Shared Recreation Facility Incorporated (GBSRF) provided an updating report in relation to the Golden Bay Grandstand, following the resolution made by Council on 27 July 2017. He expressed concern around health and safety considerations and believed that as time went on the entire site on and around the Grandstand may become unsafe. This could mean contractors may not be able to meet the requirements for a 'sensitive' demolition.

Mr Blasdale advised that the the GBSRF continue to be frustrated by the drainage and sewerage spill problems for the new facility and that it cannot yet be fully operational or fitted out while the grandstand remains in situ.

Trish Palmer

Ms Palmer referred to a series of events in her dealings recently with Council staff where the quality of service had been very poor. These instances were in connection with enquiries concerning the Building Act, road drainage, road maintenance and rates.

Noel Baigent

Mr Baigent clarified he was not speaking on behalf on behalf of any organisation at today's Public Forum. He described frustration with the poor communication from GBSRF. He had checked the constitution of that organisation, which was an independent incorporated society and queried how they were able to lawfully connect with decisions that only Council should be making. He asked whether a Memorandum of Understanding existed between Tasman District Council and GBSRF. He handed a letter to the Committee Secretary.

Maxwell Clark

Mr Clark congratulated Councillor McNamara on the recent publication of his views on the Waimea Dam. He suggested there was a number of missing components in relation to the project. He highlighted the number of outstanding matters, including the land take processes, which had yet to be resolved.

4 DECLARATIONS OF INTEREST

Councillor Ogilvie declared an interest in relation to the in-committee report number 9.2 John Krammer (Tapu Bay) - offer of surrender of lifetime occupation licence and confirmed he would not partake in any discussion or decision-making in relation to that report.

Cr Maling declared an interest in relation to his lifestyle property on the Waimea plains owned by his family trust. He has sought independent advice on whether this would cause a conflict of interest in relation to decisions to be made in relation to the Waimea Community Dam. He had not yet received this advice and so preferred to err on the side of caution by declaring an interest. He confirmed he would not involve himself in Council's discussions and decision-making at today's meeting.

The following Councillors declared an interest in relation to the in-committee report 9.3 Nelson Airport Director Appointment and confirmed they would not partake in any discussion or decision-making in relation to that report:

Councillor Greening
Councillor Maling
Councillor Wensley

5 LATE ITEMS

**Moved Cr Bryant/Cr Wensley
CN17-09-2**

That the In Committee late item 5.1 Waimea Community Dam Joint Venture Funding Proposal report be considered. This item is late because information essential to the report was not available at the time the agenda was published. Delaying consideration of this item would compromise project workstreams.

CARRIED

6 CONFIRMATION OF MINUTES

**Moved Cr Ogilvie/Cr Hawkes
CN17-09-3**

That the minutes of the Full Council meeting held on Thursday, 17 August 2017, be confirmed as a true and correct record of the meeting.

CARRIED

8 REPORTS

8.1 Corporate Services - Quarterly Report

The Corporate Services Manager spoke to this report and expanded upon some of the salient points and answered questions raised on Council's position with insurance. He mentioned the recent arrival of the new Property Services Manager, Mark Johannsen.

The Information Services Manager responded to questions on the availability of Wi-Fi in the Chamber and live streaming of meetings. In relation to the latter, he advised the Digital Enablement Strategy will be considering the technology requirements. There also is a wider review of the layout in Council Chambers that is pending and will connect with those needs. At this stage he was not able to offer a timescale for the completion of this review.

**Moved Cr McNamara/Cr Wensley
CN17-09-4**

That the Full Council

- 1. receives the Corporate Services - Quarterly Report RCN17-09-01; and**
- 2. notes the documents that have been signed under delegation as set out in section 7.3; and**
- 3. authorises the Mayor to vote Council's shares in Civic Financial Services Ltd in favour of the sale of Civic Assurance House; and**
- 4. receives the Local Government Funding Agency final Statement of Intent.**

CARRIED

8.2 Treasury Report

The Finance Manager spoke to this report, assisted by the Corporate Services Manager. There was a discussion on the impact of the proposed Waimea Community Dam on the Council's credit rating. He confirmed matters relevant to the credit rating were reviewed annually and sometimes more often if there was a significant event, for example, the Kaikoura earthquake. With that process, Council's financials and the local economy would be scrutinised and any risks identified.

**Moved Cr King/Cr Ogilvie
CN17-09-5**

That the Full Council receives the Treasury Report RCN17-09-02.

CARRIED

The meeting broke for morning tea 10.35 am and resumed at 10.55 am.

7. PRESENTATIONS

7.1 Treasury Update

Jason Bligh, Associate Director and Brett Johanson, Partner of Price Waterhouse Cooper spoke to a visual presentation and responded to questions.

They confirmed it was important for Council to maintain its strong credit rating. A healthy economy has an impact on this. Similarly, a downturn in the economy would have to be taken into account and the financial management of Council's balance sheet and financial strategy would need to match that.

They clarified the likely impact on an underspend on Council's capital spending programme and indicated that the Treasury Policy had the flexibility to deal with changing forecasts. It was more the risk of a position that would need to be considered.

8.3 Traffic Control Bylaw - Parking control update

The Transportation Manager spoke to his report.

He was asked what measures were to be taken to prioritise pedestrian access and cycleways, which could mean not as many parking spaces would be required. He confirmed that the Richmond Network Operating Framework is one of the pieces of work that would look at transportation options with a view to taking improvements forward into Council's long term planning.

It was confirmed there would be a review of the parking and access once the Queen Street Upgrade has been completed. There would also be ongoing surveys on occupancy of car parking spaces.

Councillors were assured the recommended changes in the Transportation Manager's report will be communicated to the public.

Moved Cr Bryant/Cr Maling CN17-09-6

That the Full Council

- 1. receives the Traffic Control Bylaw - Parking control update report, RCN17-09-03; and**
- 2. approves the following changes to the Traffic Control Devices register under the Traffic Control Bylaw 2016 with effect from 8 September 2017 (as shown in the diagrams in Appendix 1):**
 - **twenty three of the current "all day" parking spaces at the south east end of the Petrie carpark be designated as "P120" car parking**
 - **an additional one parking space in the same vicinity be designated for use by electric vehicles to allow efficient use of the charging station nearby.**
 - **an additional space adjacent to the entry ramp at the rear of the Richmond Library is designated for mobility card holders only**
 - **seventeen of the current "all day" parking spaces at the north west end of the Petrie carpark be designated as "P120" car parking**
 - **an additional length of "no parking" road marking on the northern corner of the intersection of Doran Street and McGlashen Avenue**
 - **approximately 52m of kerbside on the south west side of McGlashen Avenue immediately south east of McIndoe Place be designated as "P120" car parking**
 - **approximately 16m of kerbside on the south west side of McGlashen Avenue adjacent to 13 McGlashen Avenue be designated as "P30" car parking**
 - **approximately 37m of kerbside on the south west side of McGlashen Avenue adjacent to 7 and 9 McGlashen Avenue be designated as "P120" car parking**

CARRIED

8.4 Lower Queen Street Stormwater Project - Funding Request

The Activity Planning Manager provided some background to the report. The Project Manager confirmed the Special Housing Areas (SHA) have been approved recently and that a deadline applied for the lodging of consent applications with Council.

**Moved Cr Maling/Cr Hawkes
CN17-09-7**

That the Full Council

- 1 receives the Lower Queen Street Stormwater Project - Funding Request report, RCN17-09-04; and**
- 2 approves up to \$840,000 of new funding to bring forward construction of a stormwater network in Lower Queen Street; and**
- 3 approves that funding of \$990,000 is carried forward from the 2016-17 project budget to the 2017-18 financial year to fund the Lower Queen Street Stormwater project.**

CARRIED

8.5 Proposal to Stop Unformed Legal Road - Rainbow Community Golden Bay - Endorsement of Hearing Panel Resolution

**Moved Cr Bryant/Cr Brown
CN17-09-8**

That the Full Council

- 1. receives the Proposal to Stop Unformed Legal Road - Rainbow Community Golden Bay - Endorsement of Hearing Panel Resolution report RCN17-09-05; and**
- 2. endorses the resolution of the hearing panel, and therefore**
- 3. resolves that the objections from Lee Wild to the road stopping proposal for part of an un-named and unformed road near the southern end of McCallum Road not be allowed, and**
- 4. resolves that the road stopping proposal be referred to the Environment Court.**

CARRIED

8.6 Portable Recycling Containers

The Asset Engineer - Waste Management/Minimisation explained a number of issues in relation to his report and took questions from Councillors relating to both operational and financial considerations.

**Moved Cr Bryant/Cr Wensley
CN17-09-9**

That the Full Council

- 1. receives the Portable Recycling Containers report RCN17-09-06; and**
- 2. approves funding of \$176,000 in the 2017/18 financial year, for public place recycling; and**
- 3. notes that the public place recycling funding of \$176,000 will be funded by the waste minimisation closed account using funds accumulated from Council's share of the New Zealand Waste Disposal Levy.**

CARRIED

8.7 Change to the Delegations Register

The Executive Assistant explained the purpose of this report and highlighted a number of additions to those that had been published with the Agenda. Those additions reflected changes in the statutory provisions that must be captured in the Delegations Register.

The Environment and Planning Manager responded to questions relating to the recent changes in the Resource Management Act.

**Moved Cr Brown/Cr McNamara
CN17-09-10**

That the Full Council

- 1. receives the Change to the Delegations Register report RCN17-09-07; and**
- 2. adopts the amendments to the Tasman District Council Delegations Register set out in Attachment 1 to Report RCN17-09-07, as amended, to have immediate effect, except that the new delegations relating to amendments to the Resource Management Act 1991 that come into force on 18 October 2017 shall take effect from that date.**

CARRIED

8.8 Electoral Systems

The Policy Officer spoke to her report and responded to questions raised. There was a dissenting view expressed and a proposal for a hybrid system, incorporating changes to the Mayoral Voting System to the Single Transferable Voting electoral system. The Policy Officer advised a hybrid system was not available under the statutory provisions.

Councillor Sangster joined the meeting at 12.25 pm.

The vote was split and on a show of hands the majority (eight) were in favour of the resolution.

**Moved Cr Bryant/Mayor Kempthorne
CN17-09-11**

That the Full Council

- 1. receives the Electoral Systems report RCN17-09-08; and**
- 2. pursuant to Section 27 of the Electoral Act 2001 retains the status quo of First Past the Post electoral system for the 2019 and 2022 triennial elections.**
- 3. notes that whatever decision is made, a public notice must be given by 19 September 2017 outlining Council's decision and advising electors of their right to demand a poll on the electoral system to be used.**

CARRIED

8.9 2017 Residents Survey Report

**Moved Cr Tuffnell/Cr Brown
CN17-09-12**

That the Full Council:

- 1. receives the 2017 Residents Survey Report RCN17-09-09; and**
- 2. receives the Communitrak Survey May 2017 Report prepared by the National Research Bureau; and**
- 3. notes that staff will bring forward into the Long Term Plan process matters identified in the survey which relate to concerns about levels of services that we provide.**

CARRIED

The meeting resumed at 1.10 pm

8.10 Mayor's Report to Full Council

Mayor Kempthorne spoke to his report contained in the agenda which was taken as read.

The Councillors endorsed the Mayor's signing of the LGNZ Climate Change Declaration. It was suggested that the Council should now consider ways it can encourage residents and ratepayers to help mitigate climate change issues rather than compensating for them.

In response to a question, the Chief Executive confirmed that staff will report back to the Council regarding the management of customer requests as raised by Ms Palmer at the public forum.

In response to a question, The Environment and Planning Manager confirmed attendees at the recent meeting with the Golden Bay Grandstand Trust.

Moved Cr Hawkes/Cr Tuffnell

CN17-09-13

That the Tasman District Council receives the Mayor's Report to Full Council RCN17-09-10.

CARRIED

8.11 Chief Executive's Activity Report

The Chief Executive, Mr McKenzie spoke to the report contained in the agenda which was taken as read. The Environment and Planning Manager provided a report on the draft agreement presented to the Golden Bay Grandstand Trust. It was noted the Trust is working on a restoration proposal. A monthly report has been received from the Trust and this is available to the Councillors on request. A further report on progress with the Grandstand Trust will be provided at the next meeting of Council.

In response to a question regarding the large work programme around the Long Term Plan, annual reporting and the Waimea Dam project, Mr McKenzie confirmed that he is confident all of the work-streams can be delivered in the required timeframes.

Mr McKenzie made mention of proposed funding for a temporary stadium to host next year's All Blacks game at Trafalgar Park. A report from the Nelson Regional Development Agency's will be discussed in a workshop with the Councillors prior to a decision report being presented to Council.

Moved Cr Hawkes/Cr Sangster

CN17-09-14

That the Full Council

- 1. receives the Chief Executive's Activity Report RCN17-09-11; and**
- 2. notes the Council Action Sheet.**

CARRIED

8.12 Waimea Community Dam Project Report

Cr Maling stepped away from the table and did not take part in any discussion or decision relating to this report.

The Chief Executive spoke to the report contained in the agenda which was taken as read. He provided an update on the land access issues. The Engineering Manager advised the detailed designs and final costings for the dam will not be completed until March-April 2018.

The Chief Executive confirmed the Waimea Dam Joint Venture partnership is in the process of recruiting a full-time Project Director.

**Moved Cr Tuffnell/Cr Brown
CN17-09-15**

That the Full Council

- 1. receives the Waimea Community Dam Project Report RCN17-09-12;**

CARRIED

9 CONFIDENTIAL SESSION

In response to a query regarding the need for the Council to discuss the Waimea Community Dam Joint Funding proposal in the confidential session, the Chief Executive confirmed there are confidential agreements in place between the parties that relate to ongoing negotiations. These agreements mean that the Council is legally obliged to discuss the item in confidence.

9.1 Procedural motion to exclude the public

**Moved Cr Tuffnell/Cr Bryant
CN17-09-16**

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 John Krammer (Tapu Bay) - offer of surrender of lifetime occupation licence

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.

9.3 Nelson Airport Director Appointment

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.

5.1 Waimea Community Dam Joint Venture Funding Proposal

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 open meeting resumed at 4.17 pm and the following resolution made in-committee was released:

**Moved Cr Ogilvie/Cr Turley
CN17-09-17**

That the Full Council

1. receives the Nelson Airport Director Appointment report RCN17-09-15; and
2. notes the next steps of the director appointments process is to engage Paul Bell of Intepeople to assess the applications and interview candidates and make a recommendation to the Council; and
3. requests that staff review the Policy on the Procedure for Appointment of Directors and Trustees and report back to the Council in early 2018.

CARRIED

The meeting concluded at 4.20 pm.

Date Confirmed:

Chair: