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**MINUTES**  
of the  
**FULL COUNCIL MEETING**  
held  
**2.00 pm, Thursday, 18 October 2018**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Mayor R Kempthorne, Councillors T King, S Bryant, P Canton, M Greening, 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)

**Part Attendance:** Senior Policy Advisor (A Bywater), Finance Manager (M McGlinchey), Strategic Policy Advisor (S Flood), Policy Advisor (S Holman), Corporate Services Manager (M Drummond), Engineering Services Manager (R Kirby), Environment and Planning Manager (D Bush-King), Community Development Manager (S Edwards)

**1 OPENING, WELCOME**

**2 APOLGIES AND LEAVE OF ABSENSE**

Moved Cr Tuffnell/Cr Hawkes  
CN18-10-1

**That apologies for absence from Councillor Maling be accepted.**

**CARRIED**

**3 PUBLIC FORUM**

**Jon Pawley** presented a petition to Council opposing the Waimea Community Dam. Mr Pawley spoke briefly to the petition, explaining that it did not outline any specific reasons for opposition to the Dam, but rather general opposition from members of the community. Mr Pawley said that he

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believed ratepayers and constituents object to the lack of consultation on the proposed Dam and were largely unsupportive of the funding model.

He said the petition had been in circulation in local cafes and online for a number of weeks and currently had just over 900 signatures.

Mr Pawley also said that the adverse environmental impacts of the proposed Dam would be significant and that he did not believe any environmental group supported the project.

**Colin Garnett** spoke to Council about the Waimea Community Dam work to financial close. Mr Garnett also made reference to what he said was a restructure of Waimea Irrigators Limited.

Mr Garnett asked about well recharges and said that so far he had not been supplied with evidence to support this claim. Mr Garnett referred to a graph by Hong, which he said is the only information that has been made available to him on this matter. Mr Garnett said that if Council had spent the money available to date on wells, they would not have an urban water supply problem.

**Maxwell Clark** spoke about the Waimea Community Dam and the involvement of Waimea Irrigators Limited (WIL). Mr Clark said he believed that there had been too much involvement by WIL and that not enough information had been communicated to ratepayers.

Mr Clark talked about the privatisation of water, which he suggested was what the Dam model presented. He said that the irrigators stood to make money from the proposed Dam. Mr Clark urged the Council and the Chief Executive to consult with the public on an amendment to the Long Term Plan. Mr Clark also suggested the Chief Executive seek independent legal advice before signing an LGA Section 118 Certificate of Compliance.

**Roger Jones** said that he was opposed to the Dam as the project currently stood. Mr Jones made reference to a feasibility study that had previously been conducted and he also asked why Council did not make the installation of rainwater tanks mandatory for new residential dwellings.

#### **4 DECLARATIONS OF INTEREST**

No declarations of interest were made by Councillors at this time.

#### **5 LATE ITEMS**

Nil

#### **6 CONFIRMATION OF MINUTES**

The Mayor noted that minutes of previous meetings yet to be confirmed would be put to the next regular cycle meeting, which is scheduled for 8 November 2018.

#### **7 PRESENTATIONS**

Nil

#### **8 REPORTS**

##### **8.1 Adoption of Annual Report 2017/2018**

Senior Policy Advisor, Alan Bywater acknowledged the work of staff in preparing the Annual report and thanked the financial team for their work in particular. A copy of the Independent Auditor's Report for the year ended 30 June 2018 was tabled.

In response to a question Finance Manager, Matthew McGlinchey said that the Audit Management Report recommendations were received on 17 October 2018 and that staff would compile a programme of work around the issues identified. He said that this programme and management responses would be reported to the Audit and Risk Committee for discussion at a future meeting. Responding to a follow up question, Mr McGlinchey advised Councillors that there had been five necessary and three beneficial recommendations made and that the proposal to address these would be included in the programme of work and brought back to the Committee.

The Mayor thanked Mr McGlinchey and Financial Accountant Charlotte Thomas for their excellent work.

**Moved Cr Ogilvie/Cr Brown  
CN18-10-2**

**That the Full Council:**

- 1. receives the Adoption of Annual Report 2017/2018; and**
- 2. notes that the signed report from Audit NZ will be tabled at the Council meeting; and**
- 3. adopts the Annual Report 2017/2018 including the audit report pursuant of section 98 of the Local Government Act 2002 as attached; and**
- 4. notes that the Summary Annual Report will be prepared after the Annual Report has been adopted; and**
- 5. agrees to the Mayor, Audit and Risk Committee Chair, and Chief Executive Officer being delegated the ability to sign off any further minor editorial amendments, the professionally designed version of the Annual Report; and**
- 6. agrees to the Mayor, Audit and Risk Committee Chair and Chief Executive being delegated the ability to approve the Summary Annual Report.**

Councillor McNamara asked that his vote AGAINST be recorded.

**CARRIED**

## **8.2 Amendment of Freedom Camping Bylaw 2017**

Strategic Policy Manager, Sharon Flood spoke to the report. Ms Flood noted a small amendment to the draft resolution to change the reference in 5. from Consultation Document to Statement of Proposal. Ms Flood also said that that it was recommended Councillors Brown, Hawkes and Turley be appointed to the Hearings Panel.

Responding to a question, Ms Flood said that anyone who objects to the proposal will have the opportunity to make a submission, which would then be considered by the Hearings Panel. She also advised Councillors that staff had tried to address some of the known concerns of the local community in the proposal. She gave the examples of limiting the number of car parks and also of time limited parks.

In response to a question around ownership of the land, Policy Advisor, Sarah Holman advised that some of the land was on road reserve and that the rest was owned by Council.

The balance of the report was taken as read.

**Moved Cr Sangster/Cr Canton  
CN18-10-3**

**That the Full Council**

- 1. receives the Amendment of Freedom Camping Bylaw 2017 RCN18-10- report ; and**
- 2. adopts the Tasman District Council’s Statement of Proposal contained in Attachment 1 of this report to amend Council’s Consolidated Bylaw – Chapter 11 – Tasman District Council Freedom Camping Bylaw 2017; and**
- 3. approves the Statement of Proposal as the basis for public consultation in accordance with section 11 of the Freedom Camping Act 2011 and sections 83, 86 and 156 of the Local Government Act 2002; and**
- 4. agrees that the Statement of Proposal will be publicly notified on or before 20 October 2018; and**
- 5. delegates to the Mayor and the Chief Executive Officer, signing off any further minor editorial amendments prior to the Statement of Proposal being finalised for public consultation; and**
- 6. delegates the task of hearing and considering submissions on the proposal to amend the Freedom Camping Bylaw 2017 to a Hearings Panel; and**
- 7. appoints a Hearings Panel consisting of Crs Hawkes (Chair), Brown and Turley with the Chair having the ability to appoint another Councillor should a member of the panel be unavailable; and**
- 8. agrees that the Hearing Panel will report back to Full Council with a recommendation on the proposal to amend the Freedom Camping Bylaw 2017 for a final decision.**

**CARRIED**

## **9 CONFIDENTIAL SESSION**

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

**Moved Cr Turley/Cr Canton  
CN18-10-4**

**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 Appointment of Independent Member to Commercial Committee

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 Legally Privileged and Confidential - Golden Bay Grandstand

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

**CARRIED**

The meeting resumed in open session and was concluded at 3.48pm.

Date Confirmed:

Chair: