
MINUTES
of the
FULL COUNCIL MEETING
held
9.30, Thursday, 12 September 2019
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 and P Sangster

In Attendance: Chief Executive (J Dowding) and Executive Assistant (H Simpson)

Part Attendance: Chair, Waimea Water Limited (K Jordan) and Chief Executive, Waimea Water Limited (M Scott)

Corporate Services Manager (M Drummond), Policy Advisor (A Gerraty), Team Leader – Urban and Rural Development (M Day), Finance Manager (M McGlinchey), Acting Community Development Manager (S Flood), Engineering Services Manager (R Kirby) and Environment and Planning Manager (D Bush-King)

1 OPENING, WELCOME

Mayor Kempthorne welcomed everyone to the meeting with a mihi in acknowledgement of Māori language week. He invited Acting Kaihautu Harvey Ruru to introduce himself and to lead the meeting in a karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

3 PUBLIC FORUM

Brent Maru spoke on behalf of the Motueka Community Board. He thanked the Motueka Ward Councillors for their service on the Board and to the Motueka community. He also thanked the Council for its support of both the Motueka and Golden Bay Community Boards and for recently agreeing to grant both Boards additional delegations.

Mayor Kempthorne thanked Mr Maru for his comments and for his service as the Motueka Community Board Chair.

Gary Clark spoke on behalf of the Richmond West Development Company about their development of the Meadows project in Richmond West. Mr Clark spoke about the current 80km speed limit on McShane Road asking the Council to consider reducing this to a 60km limit in light of the increasing residential development in the surrounding area. Mr Clark tabled a copy of his speaking notes.

Mayor Kempthorne called for **Albert Aubrey**, who had registered to speak during public forum. Mr Aubrey was not present; the Mayor called for the next speaker.

Neil Larson shared his thoughts on the current economic and financial situation in New Zealand which he said was in decline. He urged people to be mindful of their investments and savings.

Bruce Gilkison spoke about climate change. He identified that he was speaking in place of Joanna Santa Barbara who had previously registered to speak at the public forum. Mr Gilkison commended the Council for its release of coastal mapping and for the community engagement they were undertaking. He also commended the Climate Change Action Plan to be discussed at this meeting and urged the Council to support the plan.

Ben Conning thanked the Council for their efforts to ensure the Waimea Dam project went ahead. He acknowledged this was a difficult decision and thanked them for being bold and making the right decision for the community. He explained that he and his family were growers in the Tasman region employing 80 staff and supplying over 100 local businesses. He said that they would not be able to grow their own crops and provide the community with locally grown and affordable produce if they did not have a secure water supply which had been particularly highlighted by the drought earlier in the year.

John Palmer spoke about communication by the Council in relation to the Waimea Dam project. He said that the Council's executive team had worked to a high standard on the project in what was often a difficult job. He noted that this work was largely unappreciated by the community.

Mr Palmer questioned the governance standards of some individual councillors and suggested that irrespective of their personal views how councillors conduct themselves as part of a team, in the best interests of the district is vital.

He also acknowledged the Mayor and Deputy Mayor for their long service and for the manner in which they have conducted themselves throughout their tenure.

The Mayor thanked all those who spoke in the public forum.

The Mayor acknowledged that this was the last Full Council meeting of the current triennium and that there was a full agenda of items to be considered. He reminded the Councillors of the need to conduct the meeting in accordance with Standing Orders to allow it to progress through consideration of all of those items.

4 DECLARATIONS OF INTEREST

No declarations were made.

5 LATE ITEMS

Nil.

7 PRESENTATIONS

Waimea Water Limited

Waimea Water Limited, Chief Executive, Mike Scott and Board Chair, Karen Jordan provided the Council with a progress update on the Waimea Dam project. Mr Scott spoke to a powerpoint presentation.

In response to a question that was raised in the public forum, Mr Scott explained that 17 bore logs had been drilled in the area, the last of which was drilled in 2017. He said the claim that contractors had been drilling to identify rock was inaccurate and Waimea Water Limited is satisfied with what had been found so far. He said that there had been no further drilling associated with bore logs.

He told the Council that the project was approximately two months behind schedule as a result of delays caused by the Pigeon Valley fire earlier in the year.

Mr Scott advised Council that Waimea Water Ltd was planning for a public information event to provide an update on the project and to answer any questions from the community. He said that Waimea Water staff are investigating the option of live streaming the session for those in the community who were not able to attend.

Mr Scott noted that Waimea Water Ltd staff are very pleased with contractor performance in respect to health and safety. To date the site has been injury free.

Mr Scott said that the next quarterly updated will be presented to Council at a Full Council meeting in December 2019.

In response to a question, Mr Scott said that expenditure to date was as expected and no work had been over budget.

Responding to a question, Mr Scott said that staff will not have a full understanding of the geology at the dam site before December 2019, but they will continue to provide the most recent information to the Council through their regular updates.

8 REPORTS

8.1 Waimea Water Ltd - Inaugural Annual Report 2018-19

Corporate Services Manager, Mike Drummond joined Karen Jordan and Mike Scott to speak to the report and take questions from the Council.

Responding to a question on the payment of additional Director fees identified in the report, Ms Jordan explained that these were by way of payment for interim roles undertaken by the now current Board members while staff recruitment was underway. These interim roles were to ensure that matters that needed to be undertaken in the interim would allow the project to progress within the necessary timeframes.

The Council thanked the Board for its presentation and for the standard of governance being applied to the project and of the information reported back to the Council.

Moved Cr Maling/Cr Brown

CN19-09-1

That the Full Council receives the Waimea Water Ltd - Inaugural Annual Report RCN19-09-01.

CARRIED

The meeting adjourned for morning tea at 10.36am and reconvened at 10.51am.

8.2 Tasman Climate Action Plan

Policy Advisor, Anna Gerraty and Team Leader – Urban and Rural Development, Maxine Day were present to speak to the report and respond to questions.

Ms Gerraty acknowledged the Council for its willingness to show leadership in relation to the global challenge of climate change and also for engaging with and taking on board the comments of the young people in the community.

The Council thanked staff for their work on the plan.

In response to a question, Ms Gerraty said that the funding sought for works identified in the plan was approximately \$100,000 and that this was included in financial reporting later in the agenda.

A regional approach to community engagement in the plan, including with local businesses, was discussed.

Moved Cr Wensley/Cr Maling

CN19-09-2

That the Full Council:

- 1. receives the Tasman Climate Action Plan Report RCN19-09-02; and**
- 2. notes that the Tasman Climate Action Plan is primarily an internally-focused document, which represents the first iteration in identifying Council priorities and resources and formalises Council's commitment to undertake deliberate actions in response to climate change; and**
- 3. adopts the Tasman Climate Action Plan, as appended in Attachment 1; and**
 - (i) agrees to implement the short-term actions (highlighted green) in Attachment 1, subject to budget availability; and**
 - (ii) supports those medium-term actions (highlighted yellow) and long-term actions (highlighted pink) in Attachment 1 in principle, subject to future funding decisions.**

CARRIED

8.3 Capital Carry Overs 2018/19 to 2019/20

Finance Manager, Matthew McGlinchey explained that it was not uncommon for councils to carry forward funding to allow projects that could not be completed in the current financial year to be finished in the next financial year. He said that the carryover report this year was slightly different as staff were also seeking additional funding of just over \$2 million and the advanced carry forward of \$12.4 million from the 2019-2020 financial year.

Mr McGlinchey offered assurance that the proposed funding adjustments would not breach the Council's debt cap.

Corporate Services Manager, Mike Drummond added that a substantial amount of work had been undertaken by staff to ensure that they were presenting the Council with a programme of work that could realistically be delivered and completed to plan.

The Council asked and were advised of where the projects subject to this additional funding would fall within the various Council work programmes and this information is included in the report.

Moved Cr Tuffnell/Cr Ogilvie

CN19-09-3

That the Full Council

- 1. receives the Capital Carry Overs 2018/19 to 2019/20 report, RCN19-09-03; and**
- 2. approves the proposed budget carry overs totalling \$25.7m into the 2019/2020 financial year; and**
- 3. approves the proposed advanced carry forwards of \$12.4m from the 2019-2020 financial year; and**
- 4. approves additional funding of \$2.1m for the 2019-2020 financial year as listed in the table below.**

	Project	Amount \$
4.1	Takaka RRC weighbridge and access	400,000
4.2	Borck Creek Widening - Poutama to SH 60 and McShane Road	685,000
4.3	Motueka WWTP Inlet Upgrades	401,000
4.4	Parks and Reserves	562,409
4.5	Mapua Wharf Precinct - Capital works	50,000
	Total Additional funds	2,098,409

CARRIED

8.4 Activity Balances Report

Mr McGlinchey presented the report contained in the agenda. He noted that point 5. of the draft resolution was removed as this funding was confirmed at a Community Grants Committee meeting on 4 June 2019.

In relation to three pieces of work identified in Golden Bay, the Council was advised that funding for this work was included in the operating budget.

In response to a question relating to additional staff expenditure, the Chief Executive advised that these costs related to the organisational change that was agreed by the Council. She said that the funding approved did not cover all of the associated costs and that these had needed to be found from savings elsewhere.

Noting that there were two points in the recommended resolution relating to this item, Council sought and received confirmation that the total amount recommended for approval towards the Pakawau consents costs was \$102,000, \$15,000 of which would come from the corporate overhead activity and \$87,000 of which would come from the general rate growth fund.

In response to a question, Mr Drummond said that funding was not being removed from the forestry activity, but that cash from this activity would be used to fund the lease asset buy-back for the Pohara Holiday Park.

Moved Mayor Kempthorne/Cr Bryant

CN19-09-4

That the Full Council

- 1. receives the Activity Balances Report RCN19-09-04; and**
- 2. approves the use of the special port dividend to fund \$350k of EDRMS costs, para 4.6.1 of this report; and**
- 3. approves the use of the special port dividend to fund \$253k of Accommodation Review costs, para 4.6.2 of this report; and**
- 4. approves the use of the Community Development Overhead activity balance to fund \$100k of Climate Change Initiative costs, para 4.6.3 of this report; and**
- 5. approves the use of the Community Development Overhead activity balance to fund \$50k of Te Tauihu Intergenerational Strategy contributions, para 4.6.5 of this report; and**
- 6. approves the use of the Corporate Overhead activity balance to fund \$220k of Corporate and Governance restructure costs, para 4.6.6 of this report; and**
- 7. approves the use of the Corporate Overhead activity balance to fund \$15k of Pakawau consents costs, para 4.6.7 of this report; and**
- 8. approves the use of the Corporate Overhead activity balance to fund \$134k of Weather Tight Home claims, para 4.6.8 of this report; and**
- 9. approves the use of the special port dividend to fund \$125k of Waimea Community Dam Hydro Study and Preliminary Design costs, para 4.6.9 of this report; and**
- 10. approves the use of \$210k to complete an operating project from the Community Facility activity, para 4.7.1 of this report; and**
- 11. approves the use of \$8k to complete a capital project from the Community Housing activity, para 4.7.2 of this report; and,**
- 12. approves the carryover of \$16k to complete operating projects from the Parks and Reserves activity, para 4.7.3 of this report; and**
- 13. approves the transfer from the general rates growth fund of \$50k to the Special Grants expenditure budget line, para 4.7.6 of this report; and**

14. approves the carryover of \$45k to complete operating projects from the Council Grants and Cultural Services, para 4.7.6 of this report; and
15. approves the carryover of \$13k to complete operating projects from the Community Relations activity, para 4.7.7 of this report; and
16. approves the carryover of \$7k to complete operating projects from the Environmental Education activity, para 4.7.8 of this report; and
17. approves the carryover of \$58k to complete operating projects from the Libraries activity, para 4.7.10 of this report; and
18. approves the transfer from the general disaster fund of \$250k to the Great Taste Cycle Trail expenditure budget line, para 4.8.9 of this report; and
19. approves the transfer from the general disaster fund of \$75k to the Subsidised Roothing Activity, para 4.8.9 of this report; and
20. approves the transfer from general rate growth fund of \$87k to Coastal Structures to fund the Pakawau resource consent expenditure, para 4.8.10 of this report; and
21. approves the carryover of \$98k to complete operating projects from the Environmental Information activity, para 4.9.2 of this report; and
22. approves the carryover of \$20k to complete capital projects from the Environmental Information activity, para 4.9.2 of this report; and
23. approves the transfer from Environmental Information of \$52k to Challies Wetland expenditure budget line, para 4.9.3 of this report; and
24. approves the use of \$32k to pay off internal loans from the Mapua Rehabilitation activity, para 4.9.4 of this report; and
25. approves the carryover of \$106k to complete operating projects from the Sustainable Management expenditure budget line, para 4.9.5 of this report; and
26. approves the carryover of \$6k to complete capital projects from the Sustainable Management activity, para 4.9.5 of this report; and
27. approves the carryover of \$197k to complete operating projects from the Environmental Policy activity, para 4.9.6 of this report; and
28. approves the use of \$25k to pay off internal loans from the Dog Control activity, para 4.9.13 of this report; and
29. approves the carryover of \$14k to complete operating projects from the Coastal Works General Account activity, para 4.10.1 of this report; and
30. approves the use of \$105k to complete operating projects from the Subsidised Roothing activity, para 4.10.5 of this report; and
31. approves the carryover of \$101k to complete operating projects from the Non-subsidised Roothing activity, para 4.10.6 of this report; and
32. approves the transfer from Non-subsidised Roothing of \$204k to Subsidised Roothing activity, para 4.10.6 of this report; and
33. approves the carryover of \$20k to complete operating projects from the Solid Waste activity, para 4.10.13 of this report; and

34. approves the use of \$321k to pay off internal loans from the Stormwater activity, para 4.10.15 of this report; and
35. approves the carryover of \$318k to complete operating projects from the Stormwater activity, para 4.10.15 of this report; and
36. approves the use of \$1.4m to pay off internal loans from the Wastewater activity, para 4.10.16 of this report; and
37. approves the carryover of \$555k to complete operating projects from the Wastewater activity, para 4.10.16 of this report; and
38. approves the use of \$233km to pay off internal loans from the Urban Water activity, para 4.10.17 of this report; and
39. approves the carryover of \$83k to complete operating projects from the Urban Water Supply activity, para 4.10.17 of this report; and
40. approves the use of \$183k to pay off internal loans from the Motueka Water activity, para 4.10.18 of this report; and
41. approves the carryover of \$35k to complete operating projects from the Wai-iti Dam Water Supply activity, para 4.10.22 of this report; and
42. approves the carryover of \$318k to complete operating projects from the Community Development activity, para 4.11.1 of this report; and
43. approves the carryover of \$53k to complete operating projects from the Corporate Services activity, para 4.11.2 of this report; and
44. approves the transfer from Corporate Services Property of \$40k to the Maritime activity, para 4.11.2 of this report.

CARRIED

8.5 Changes to Elected Members' Remuneration and Expenses Policy

The report contained two policies for consideration:

- The 2019 Tasman District Council Policy on Elected Members Allowances and Recovery of Expenses; and
- The policy on elected members childcare allowance.

The report was taken as read and the Council agreed that consideration of the childcare allowance policy should be a decision for the incoming Council in the new triennium.

Moved Cr Bryant/Cr Canton

CN19-09-5

That the Full Council

1. receives the Changes to Elected Members' Remuneration and Expenses Policy Report RCN19-09-05; and
2. adopts the 2019 Tasman District Council Policy on Elected Members Allowances and Recovery of Expenses; and

3. a) defers consideration of the adoption of an elected members childcare allowance until after the October 2019 local body elections; and
- b) requests the Chief Executive bring a report on this matter back to a Full Council meeting in the first quarter of 2020.

CARRIED

8.6 Update on Commercial Forestry Activity

The Council thanked staff for their report, which was taken as read. There were no questions.

Moved Cr Ogilvie/Cr Brown

CN19-09-6

That the Full Council receives the Update on Commercial Forestry Activity Report, RCN19-09-06.

CARRIED

8.7 Māpua Waterfront Masterplan Working Group - Terms of Reference

The report was taken as read.

The Council questioned the proportion of iwi representatives and Councillors on the working group and accepted that this had been the subject of previous debate and was to allow representation from all iwi groups that needed to be involved in the process.

Moved Cr Tuffnell/Cr Bryant

CN19-09-7

That the Full Council

1. receives the Māpua Waterfront Masterplan Working Group - Terms of Reference Report RCN19-09-07; and
2. approves the Terms of Reference as contained in Attachment 1 of this report; and
3. requests the Council representatives on the Māpua Waterfront Area Masterplan Working Group pass on the Council's appreciation for the work to date in implementing the Māpua Waterfront Area Masterplan 2018-38.

CARRIED

8.8 Māpua - Proposal to lift the water connections moratorium

Activity Planning Manager, Dwayne Fletcher was present to speak to the report and take questions.

In response to a question Mr Fletcher said that it would be made clear to the developers that they will need to accept the risk of a delay in the Council's work programme if they want to have

the deferment lifted. Staff will ensure that there is no risk of liability on the Council if there is a delay in the work programme.

Moved Cr Canton/Cr Maling

CN19-09-8

That the Full Council:

- 1. receives the Māpua - Proposal to Lift the Water Connections Moratorium Report, RCN19-09-08; and**
- 2. agrees to lift the moratorium on the Māpua-Ruby Bay Water supply from 1 August 2021; and**
- 3. notes that staff will seek the Environment and Planning Committee's agreement later in 2019 to lift zoning deferments on land able to be serviced by all three waters in Māpua-Ruby Bay.**

CARRIED

8.9 New Lease for Wanderers Rugby Football Club (Wanderers Sport Club) Gymnasium - Referral Report

The Council thanked staff for their liaison with the community on this work. There were no questions and the report was taken as read.

Moved Cr McNamara/Cr Turley

CN19-09-9

That the Full Council:

- 1. receives the New Lease for Wanderers Rugby Football Club (Wanderers Sport Club) Gymnasium - Referral Report RCN19-09-09; and**
- 2. as administering body for the reserve, approves the granting of a new five (5) year lease under Section 54(1) of the Reserves Act 1977 to Wanderers Sport Club of only the building on the Brightwater Recreation Park on the same terms as the existing lease, with the exception of the requirement to sublet to Tasman Volleyball; and**
- 3. exercises the delegation from the Minister of Conservation and approves the lease on the Minister's behalf.**

CARRIED

8.10 Proposed New Speed Limits

The report was taken as read.

In response to a question, Transportation Manager Jamie McPherson said that staff had previously signalled to the Council the need to develop a speed limit management plan. This matter was discussed at the Tasman Regional Transport Committee meeting on 9 September 2019 as they had been granted delegation to complete that plan. Mr McPherson said that it was important to consult with the community to ensure their engagement with and understanding of

speed management and that this was expected to happen in 2020. He said that the community's support would be crucial in ensuring the District's speed management plan was successfully achieved.

Moved Cr Bryant/Cr Maling

CN19-09-10

That the Full Council

- 1. receives the Proposed New Speed Limits Report 19-09-10; and**
- 2. approves the Statement of Proposal (Attachment 1) for consultation; and**
- 3. agrees to use the Special Consultative Procedure outlined in sections 83 of the Local Government Act 2002 and to follow the requirements of the Land Transport Rule: Setting of Speed Limits 2017 when undertaking consultation on the Statement of Proposal; and**
- 4. approves the Summary of Information (Attachment 2); and**
- 5. agrees that the most appropriate method for distribution for public consultation is by public notice and a letter to property owners of a road with a proposed change, and by making copies of the Statement of Proposal available for viewing on the Council website, in its offices and its libraries; and**
- 6. agrees to appoint a hearings panel of three Councillors (including Chair) to hear submissions, deliberate and make recommendations back to the full Council on the speed limit changes proposed within the Statement of Proposal; and**
- 7. notes that the appointment of the three Councillors to comprise the hearings panel will be undertaken at the full Council meeting scheduled for 31 October 2019.**

CARRIED

8.17 Chief Executive's Report to Full Council

Chief Executive, Janine Dowding presented her report which was taken as read.

Ms Dowding provided an update on recent recruitment. She noted that the Operational Governance Manager role had been filled, the Chief Information Officer appointment was close to being confirmed and the Kaihautu role should be finalised very soon.

The Council discussed the increasing number of government policies and processes that were being imposed on local authorities resulting in a shift of costs from the taxpayer to the ratepayer.

Moved Mayor Kempthorne/Cr Brown

CN19-09-11

That the Full Council

- 1. receives the Chief Executive's Report to Full Council RCN19-09-17; and**

2. **confirms its support for the application to the Tourism Infrastructure Fund totalling \$290,000, to replace the existing toilets at Torrent Bay with an enhanced facility; and**
3. **approves retrospectively the submission lodged with the Productivity Commission in response to its Draft Report on Local Government Funding and Financing; and**
4. **agrees that the Mayor sign the letter of agreement with Nelson City Council to provide funding to NRDA; and**
5. **notes the Council Action Sheet.**

CARRIED

8.11 Mayor's Activity Report

The Mayor reflected on the privilege he felt having been able to serve as Mayor of Tasman District for 12 years.

The balance of the report was taken as read.

Moved Mayor Kempthorne/Cr Tuffnell

CN19-09-12

That the Tasman District Council receives the Mayor's Activity Report RCN19-09-11.

CARRIED

8.12 Adoption of Water Supply Bylaw

The report was taken as read and the Council thanked staff for their extensive work to complete the Water Supply Bylaw.

Moved Cr Wensley/Cr Hawkes

CN19-09-13

That the Full Council

1. **receives the Adoption of Water Supply Bylaw Report RCN19-09-12; and**
2. **notes that the Hearings and Deliberations Panel recommend that the Full Council adopts the Tasman District Council Consolidated Bylaw Chapter 10 Public Water Supply Bylaw 2016 (Amended 2019), which incorporates the amendments sought by the Hearing Panel at its meeting on 15 August 2019 (Attachment 1);**
3. **agrees that the Tasman District Council Consolidated Bylaw Chapter 10 Public Water Supply Bylaw 2016 (Amended 2019) satisfies the following requirements of section 155 of the Local Government Act 2002:**
 - **the Bylaw is the most appropriate way of addressing the management and protection of the public water supply network, and restricting the use of the public water supply in a water shortage;**

- the Bylaw is the most appropriate form of Bylaw; and
 - the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
4. adopts the Tasman District Council Consolidated Bylaw Chapter 10 Public Water Supply Bylaw 2016 (Amended 2019), enclosed as Attachment 1, with effect from 1 October 2019; and
 5. approves public notification that the Bylaw in resolution 4 comes into effect from 1 October 2019.

CARRIED

8.13 Temporary Road Closures

The report was taken as read. Technical Officer, Transportation, Megan Bell confirmed that the road closure for the Motueka Starlight Parade on Friday 6 November 2019 should start at Grey Street, Motueka.

Moved Cr Bryant/Cr Ogilvie

CN19-09-14

That the Full Council

1. receives the Temporary Road Closures Report RCN19-09-13; and
2. approves the temporary closure of Aranui Road from Tahi Street to the Mapua Wharf on Saturday 2 May 2020, from 5.00am to 7.00pm for the K2M (Kaiteriteri to Mapua) multisport event; and
3. approves the temporary closure of Valley Road from the Kerr Hill Road intersection to 300 metres before the golf course at Golden Downs on Sunday 6 October 2019, from 8.00am to 5.00pm for the Nelson Car Club Golden Downs Sprint rally event (Valley Road RP 2.25 – 8.63); and
4. approves the temporary closure of Pigeon Valley Road and Dovedale Road from the Sharp Road intersection to 1km east of the Dovedale Road/Brandy Creek Road intersection on Saturday 2 November 2019, from 8.00am to 5.00pm for the Nelson Car Club Pigeon Valley Sprint rally event (Pigeon Valley Road RP 5.23 – 10.70 and Dovedale Road RP 15.95 – 19.99) ; and
5. approves the temporary closure of Edward Street , Queen Street (from Edward Street to McIndoe Place), McIndoe Place and the Petrie/Harkness carpark on Sunday 24 November 2019 from 6.30am to 4.00pm for the Pak'n'Save Richmond Santa Parade; and
6. approves the temporary closure of Queen Street from the Night'n'Day dairy to McIndoe Place on Monday 30 December 2019, from 5.30am to 5.30pm for the Richmond Market Day; and
7. approves the temporary closure of Pah Street from Atkins or Grey Streets to High Street on Friday 6 December 2019, from 6.00pm to 9.00pm, and Wallace Street

from High Street to Decks Reserve carpark, from 3.00pm to 9.00pm for the Motueka New World Starlight Christmas Parade; and

8. approves the temporary closure of Queen Street from McIndoe Place to Cambridge Street on Saturday 2 November 2019 (with a rain date of Saturday 9 November 2019), from 9.00am to 2.00pm for the Tasman District Council First Taste event.

CARRIED

8.14 Delegation to Chief Executive

The report was taken as read, with no questions from the Council.

Moved Cr King/Cr Sangster

CN19-09-15

That the Full Council

1. receives the Delegation to Chief Executive Report RCN19-09-14; and
2. approves that from the day following the Electoral Officer's declaration, until the new Council is sworn in, the Chief Executive is authorised to make decisions in respect of urgent matters, in consultation with the Mayor elect; and
3. requests that all decisions made under this delegation will be reported to the first ordinary meeting of the new Council.

CARRIED

8.15 Machinery Resolutions Report

The report was taken as read. Left to lie on the table and be revisited after lunch.

Moved Cr Tuffnell/Cr Hawkes

CN19-09-16

That the Tasman District Council

1. receives the Machinery Resolutions Report RCN19-09-15; and
2. agrees that the execution of the following documents under the Seal of Council be confirmed:
 - a) Deed of Lease – Motueka Aerodrome – 124 Queen Victoria Street – Inflight Abel Tasman – Jason Grey – 41111L18 – Nelson Tasman Air has sold their business to Inflight Ltd. This lease replaces the existing lease to Nelson Tasman Air. The new lease commences 16 May 2019; term 10+5+5+5 for a total of 25 years. It comprises 1,217m² with air base and coffee shop. New rent \$6760 per annum + GST.
 - b) Deed of Lease – Age Concern Nelson Taman Incorporated – New 10 year lease replacing previous 5 year lease – 62 Oxford Street, Richmond.
 - c) A&I to Consent to Easements in Gross – Applebyfield Ltd – RM160673 – a further stage of subdivision granted under RM160673 for Applebyfield for another 37 lots.

Easement in Gross are required for wastewater grinder pump being maintained by Tasman District Council. This stage is off Feltham Street, Richmond.

- d) A&I for Easement in Gross + walkway (public) – CBH Limited – RM130922 – The last lots of RM130922 have been completed. Public access linkages to Maisey Road are required and stormwater drainage from the land of Ridgeview Road, Redwood Valley are required in Gross to Tasman District Council.
- e) Easement – Kuinui Place Motueka – Wakatu and Wahanga – RM170850 – Surrender of stormwater in EI 12244512 because it will be replaced by a new stormwater easement in gross over areas marked A+R on the LT plan 534522.
- f) Easement – 75 Hart Road, Richmond – Hartacres Ltd - RM150068 – An Easement in Gross is sought over Council Sewer for Lot 20 DP 524496 (RT 837210)
- g) Deed of Covenant (Encumbrance) – Rex Lash and Family Trust – The previous owners of 94 Selwyn Street, Pohara had authority to encroach on road reserve adjacent. The property now has new owners and staff recommended that the new authority to encroach be an encumbrance.
- h) Deed of Renewal of Lease – Frank Jean–Luc Suignon – Lease renewal for a further three years for the Library Café at 280 Queen Street, Richmond. Commencing 1 July 2019 with an expiry date of 30 June 2022 including a rent increase of 1% from 8% to 9% of monthly takings.
- i) Easement – 45+23 Pomona Road, Ruby Bay – DJ + LJ Humphries – RM170765 – The applicant request Council surrenders part of the right to drain sewage in EI 8838536.1 shown on Lot 5 DP519836 and grants an Easement in gross for the right of Council to drain sewage over Lot 1 + 2 DP519836 – shown as G, H , I and J.
- j) Deed of Lease – The Order of St John South Island Regional Trust Board (Also known as St John Golden Bay) – St John own this building on Golden Bay recreational reserve. The Lease expires 31 August 2012. It has taken 8 months to get this signature and form completed to permit their subletting to Seniornet and 3 other local groups (Golden Bay Genealogy, Golden Bay Photography Club and NW Search and Rescue). This lease of 5 Years (expires in 30 November 2023) with an annual fee of \$230 including GST.
- k) Deed of Lease – Golden Bay Pony Club and Golden Bay Riding for the Disabled – Former lease expired 30 September 2015 at 66 Long Plain Road, Kotinga. This new lease term is 1 August 2019 to 31 July 2024, annual lease fee of \$230 including GST.
- l) Deed of Lease - Nelson Agricultural & Pastoral Association – on 4 April 2019 the Community Development Committee received RCD19-04-01 – Negotiating another 10 year Lease with A&P Association and a related sublease with Croquet & Bridge Clubs (still being negotiated) with the A&P Association for land at Richmond Park, Lower Queen Street.

CARRIED

8.16 Local Government Funding Agency Annual Report

Mr Drummond was present to speak to the report and respond to questions. Mr Drummond noted that the Council had been involved on the agency panel since its inception.

As a foundation member, the Council holds a significant number of shares in the Local Government Funding Agency. The Council discussed the sale or transfer of some shares, acknowledging that it was seeing a return on those shares above and beyond the cost of funding its agency contribution.

Moved Mayor Kempthorne/Cr Greening

CN19-09-17

That the Full Council receives the Local Government Funding Agency Annual Report RCN19-09-16.

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

Confirmed

**Moved Cr Sangster/Cr Hawkes
CN19-09-18**

The following motion is submitted for consideration:

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 Waimea Community Dam – Ngati Koata Partnership Agreement Provisions for Hydro Power

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)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information 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.

9.3 Motueka Library Options and Preferred Site

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)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - The withholding of the information is necessary to enable the local authority to	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.

	carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	
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9.4 Council Vehicle Fleet – Proposed Purchase of an Electric Vehicle

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)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	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.

9.5 Pohara Holiday Park Proposed Buyback of Assets – Referral Report

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(h)) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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 2.17 pm and the following resolution was released to the public:

**Moved Mayor Kempthorne/Cr Ogilvie
CN19-09-19**

That the Full Council:

1. receives the Motueka Library Options and Preferred Site Report RCN19-09-19; and
2. approves Site A illustrated in Figure 1 contained in this report, fronting Wallace Street, between the iSite and Japanese Gardens on Decks Reserve as the building site for the new Motueka Library; and
3. approves the scope of the building as a 1,100m² single-storey building and notes that a future Council Service Centre could be added adjacent to the library; and

4. notes that the land in Decks Reserves is within the area of land covered by the Rore Stafford/Wakatū Inc Nelson Tenth Trust court action, but that the risk of Council land being considered as part of the redress from the court action is low; and
5. notes that the resource consent for the library may need to be publicly notified which could impact on the project timeline and cost.

CARRIED

6 CONFIRMATION OF MINUTES

Moved Mayor Kempthorne/Cr Turley

CN19-09-20

That the minutes of the Full Council meeting held on Thursday, 1 August 2019, be confirmed as a true and correct record of the meeting.

CARRIED

Moved Mayor Kempthorne/Cr Turley

CN19-09-21

That the minutes of the Extraordinary Full Council meeting held on Thursday, 29 August 2019, be confirmed as a true and correct record of the meeting.

CARRIED

The meeting concluded at 2.18 pm.

Date Confirmed:

Chair: