
MINUTES
of the
FULL COUNCIL MEETING
held
9.30, Friday, 31 May 2019
at
Tasman Council Chamber, 189 Queen Street, Richmond

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 Sangster

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

Part Attendance: Senior Policy Advisor (A Bywater), Finance Manager (M McGlinchey), Revenue Accountant (K Kivimaa-Schouten), Corporate Services Manager (M Drummond), Activity Planning Manager (D Fletcher), Activity Planning Advisor – Water and Wastewater (H Lane), Graduate Policy Advisor (J Nguyen), Engineering Services Manager (R Kirby), Environment and Planning Manager (D Bush-King), Reserves and Facilities Manager (R Hollier), Resource Scientist - Rivers and Coast (E Verstappen)

1 OPENING, WELCOME

2 APOLGIES AND LEAVE OF ABSENSE

Moved Cr Sangster/Cr Canton
CN19-05-21

That apologies be accepted for absence from Crs Maling and Hawkes and for lateness from Cr King.

CARRIED

3 PUBLIC FORUM

Richard Johns spoke about the cost of the Waimea Dam, which he said was too expensive to be affordable for ratepayers. Mr Johns questioned the claim that weirs would not be a viable

alternative solution saying that bunds, which were similar, had successfully been used in the river previously. He said that people should be encouraged to cut down on their usage and that the allocation to irrigators was excessive. Mr Johns asked Council to revisit alternative solutions.

Maxwell Clark tabled copies of a Nelson Mail article dated 27 May 2019, which reported on Napier City Council having stopped paying their Mayor while he recovered from a stroke. Mr Clark said that Councils should have appropriate mechanisms in place to better support their elected members, such as having an appropriate level of insurance.

Mr Clark also talked about rates, which he said were excessive. He talked about rating for projects that were deferred or not completed and said that Council needed to consider more carefully when setting its annual rates.

Albert Aubrey spoke about the rating of retirement villages. He commended the report put forward by staff, but said that they had not examined the real issue. Mr Aubrey said that pensioners who lived in private standalone dwellings were effectively subsidising those who could afford to live in retirement villages. Mr Aubrey spoke about the uniform annual general charge model for rating and said that moving away from this form of rating would benefit those at the bottom end of the economic scale, who were the ones finding rates most unaffordable.

Cr King joined the meeting at 9.44am.

Bruno Lemke spoke about the Mapua/Ruby Bay water pipe upgrade. He showed Councillors a series of PowerPoint slides to illustrate the water and wastewater upgrades underway on Aranui Road and Stafford Drive. Mr Lemke said that Council recognised there was an issue with the capacity of the current water and wastewater pipes in Mapua and Ruby Bay and that they should do the job once and do it right. He said that Council should complete the work entirely now rather than part now and part at a future date and that budgetary constraints could be overcome by Council taking out a loan to complete the work. Mr Lemke read from an article published by the Mapua District Community Association in March 2019 about the health risks of not completing the necessary upgrade work.

Sarah Glazebrook asked Council to fund work to increase storm water drainage in Mapua/Ruby Bay at the same time as completing other upgrade work. She said that water should be directed from Stafford Drive properties to the sea to minimise future occurrences of flooding and sewerage backing up. Ms Glazebrook urged Council to find a solution to increase capacity for large volumes of water to be drained to the sea in conjunction with other work in the area.

John Hurley spoke about the Pakawau Esplanade Reserve rock placement. He referred to rock placement work completed previously in Ruby Bay at Broadsea Avenue. He said that this work had stopped erosion work and invited Councillors to drive out to Ruby Bay and see this for themselves. Mr Hurley said that Council had been elected to make decisions and suggested that as such, Council not consider the soft solution or the do nothing solution presented in the report on this matter.

Chrissy Small spoke about the proposal to upgrade the Mapua/Ruby Bay water and wastewater network. She said that there was no solution to stormwater flooding in the upgrade proposal and urged Council to consider this in conjunction with the other upgrade work. Ms Small said that she had emailed Councillors with footage of pipes bursting in Mapua/Ruby Bay and suggested that if the issue of leaking pipes were fixed, this might negate the need for a Dam. She said that if Council were digging up the road, they should complete all necessary work at the same time to save cost to the ratepayers.

Ms Small also made reference to a comment made by Mr Hurley, agreeing that sand push ups are not an effective solution.

4 DECLARATIONS OF INTEREST

Cr Tuffnell mentioned his intention to move into a retirement village next year. It was agreed by Councillors that this did not present any conflict of interest in relation to item 8.3 Rating of Retirement Villages.

5 LATE ITEMS

Moved Cr Canton/Cr Sangster CN19-05-22

That the late item, 8.8 Pakawau Esplanade Reserve – Rock Placement, be considered at today's meeting. This item is late because agreement was reached with the Pakawau Community Residents' Association (the Association) on Thursday 23 May 2019 that the matter would go to Council and a report needed to be prepared. Consideration of this matter cannot be delayed because the Association have requested that Council consider the matter ahead of its next meeting, which occurs before the next regular cycle Full Council meeting.

CARRIED

6 CONFIRMATION OF MINUTES

Nil.

7 PRESENTATIONS

Nil

8 REPORTS

8.1 Adoption of the Annual Plan 2019/2020

Senior Policy Advisor, Alan Bywater and Finance Manager, Matthew McGlinchey were present to speak to the report and answer questions.

Mr Bywater tabled a replacement to the table on page 48 of the draft Annual Plan 2019/2020 (the Plan) attachment to the report. He apologised that the same table had been included twice and noted that the replacement table was for Prospective Cash Flow Reconciliation.

Councillors discussed their support of the various priorities as they were outlined in the Plan, noting that not all priorities were supported by all Councillors.

In response to a question Corporate Services Manager, Mike Drummond confirmed that for the current year, given the lower than forecast debt and interest rates incurred, there would be surplus funds. He said that The Treasury Policy stipulated any surplus funds be used in the first instance to reduce debt.

Moved Mayor Kempthorne/Cr Canton CN19-05-23

That the Full Council:

1. receives the Adoption of the Annual Plan 2019/2020 report RCN19-05-20; and
2. adopts the Annual Plan 2019/2020 pursuant to Section 95 of the Local Government Act 2002 (attached under separate cover); and
3. authorises the Mayor, Deputy Mayor and Chief Executive Officer to approve any minor edits or changes to the document, prior to publication.

CARRIED**8.2 2019-2020 Rate Setting Report**

Revenue Accountant, Kelly Kivimaa-Schouten asked that the report be taken as read. In response to a question on the wording of the resolution, Ms Kivimaa-Schouten confirmed that staff had undertaken the appropriate quality control checks as well as a legal review.

Mr McGlinchey took an action to clarify the rationale behind the decrease in Museum rates.

Responding to a question, Mr Drummond said that the increase in the Waimea Dam rate from the last financial year to the current rating year reflects the increased investment in the project.

**Moved Cr Bryant/Cr Tuffnell
CN19-05-24**
That the Full Council

1. receives the 2019-2020 Rate Setting Report RCN19-05-21; and
2. sets the following rates under the Local Government (Rating) Act 2002 for the financial year commencing on 1 July 2019 and ending on 30 June 2020;

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
General Rate		Every rateable rating unit in the District	Rate in the \$ of Capital Value	0.2277 cents

A portion of the general rate is used to replenish the Council's General Disaster Fund.

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
Uniform Annual General Charge (UAGC)		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 290.00

Targeted Rates

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
1	Stormwater Rate		Every rateable rating unit in the District which has a land value		

		Urban Drainage Area- Stormwater Differential	Where the land is situated being rateable rating units in the Stormwater Urban Drainage Rating Area	Rate in the \$ of Capital Value	0.0567 cents
		Balance of the District-General Drainage Stormwater Differential	Where the land is situated being rateable rating units with land value, that are not in the Stormwater Urban Drainage Rating Area	Rate in the \$ of Capital Value	0.0060 cents
2	Water Supply Rates				
2.1	Water Supply Rates – Urban Water Supply Metered Connections and Rural Water Extensions to Urban Water Schemes (“The Club”)				
2.1(a)	Water Supply – Urban Water Supply Metered Connections (excluding Motueka Water Supply & Industrial Water Supply Agreement Holders): Volumetric charge		Provision of service being the supply of metered water to those rating units in the District, which have metered water connections, excluding those connected to the Motueka Water Supply because they have a different targeted rate, and excluding the industrial water supply users who have a commercial water supply agreement with the Council	Per m ³ of water supplied	\$ 2.17
2.1(b)	Water Supply – Urban Water Supply Metered Connections (excluding Motueka Water Supply & Industrial Water Supply Agreement Holders): Service Charge		Provision of a service being a connection to a metered water supply by rating units in the District, excluding those connected to the Motueka Water Supply, and excluding the industrial water supply users who have a commercial water supply agreement with the Council	Fixed amount \$ per connection (meter)	\$ 337.56
	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
2.1(c)	Water Supply- Rural Water Extensions to Urban Water Schemes		Provision of a service being a connection to a supply of water via a rural extension to urban schemes through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$634.71

The extensions that will be charged this rate are: Best Island Water Supply, Mapua/ Ruby Bay Water Supply, Brightwater/Hope Water Supply, Richmond Water Supply, Wakefield Water Supply, and any others which are referred to as the Other Rural Water Supply Extensions.

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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2.2	Water Supply Rates – Motueka Water Supply Metered Connections				
2.2(a)	Water Supply – Motueka Water Supply Metered Connections: Volumetric charge		Provision of service being the supply of metered water to rating units connected to the Motueka Water Supply	Per m ³ of water supplied	\$ 2.13
2.2(b)	Water Supply – Motueka Water Supply Metered Connections: Service charge		Provision of a service being a connection to the Motueka Water Supply	Fixed amount \$ per connection (meter)	\$ 97.11
2.3	Water Supply – Rural Connections				
2.3(a)	Water Supply- Dovedale Rural Water Supply		Provision of a service being a connection to the Dovedale Rural Water Supply through a lowflow restricted water connection		
		Dovedale Differential A*		Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). For example, users with a 2m ³ per day restrictor volume will be billed two of the Differential A charge	\$ 706.91
		Dovedale Differential B*		Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). For example, users with a 3m ³ per day restrictor volume will be billed two of the Differential A charge and one of the Differential B charge	\$ 544.32

The Council has determined that a differential charge will be applied:

**Dovedale Differential A- includes the supply of water for up to and including the first 2m³ per day. This rate is charged based on the extent of provision of service using the size of restrictor volume, with a base of 1m³ per day. A differential of 1 per 1m³ per day will apply.*

**Dovedale Differential B- includes the supply of water greater than 2m³ per day. This rate is charged based on the extent of provision of service using the size of restrictor volume, with a base of 1m³ per day. A differential of 0.77 per 1m³ per day will apply.*

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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2.3(b)	Water Supply- Redwood Valley Rural Water Supply		Provision of a service being a connection to the Redwood Valley Rural Water Supply through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$ 432.71
2.3(c)	Water Supply- Eighty Eight Valley Rural Water Supply - Variable Charge		Provision of a service being a connection to the Eighty Eight Valley Rural Water Supply through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$ 270.90
2.3(d)	Water Supply- Eighty Eight Valley Rural Water Supply- Service Charge		Provision of a service being a connection to the Eighty Eight Valley Rural Water Supply through a lowflow restricted water connection	Fixed amount \$ per rating unit	\$ 301.01
2.3(e)	Water Supply- Hamama Rural Water Supply- Variable Charge		Provision of a service being a connection to the Hamama Rural Water Supply	Rate in the \$ of Land Value	0.044 cents
2.3(f)	Water Supply- Hamama Rural Water Supply- Service Charge		Provision of a service being a connection to the Hamama Rural Water Supply	Fixed amount \$ per rating unit	\$ 238.36
2.3(g)	Water Supply- Hamama Rural Water Supply- Fixed Charge based on set land value		Where the land is situated being rating units in the Hamama Rural Water Supply Rating Area	Rate in the \$ of set land value (which is the land value at the time capital works were completed in 2005)	0.165 cents
2.4	Water Supply Firefighting				
2.4(a)	Water Supply: Motueka Firefighting		Where the land is situated being rating units in the Motueka Firefighting Water Supply Rating Area	Fixed amount \$ per Rating Unit	\$ 17.88
2.4(b)	Water Supply: Takaka Firefighting- Capital		Every Rating Unit in the Golden Bay Ward		

		Takaka CBD Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Commercial CBD Rating Area	Rate in the \$ of Capital Value	0.093 cents
		Takaka Residential Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Residential Rating Area	Fixed amount \$ per Rating Unit	\$ 52.13
		Takaka Balance of Golden Bay Ward Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Rest of Golden Bay Rating Area	Fixed amount \$ per Rating Unit	\$ 15.33
2.4(c)	Water Supply: Takaka Firefighting- Operating		Where the land is situated being rating units in the Takaka Firefighting Water Supply Commercial CBD Rating Area and Takaka Firefighting Water Supply Residential Rating Area	Fixed amount \$ per Rating Unit	\$ 46.00
2.5	Water Supply- Dams				
2.5(a)	Water Supply- Dams: Wai-iti Valley Community Dam		Where land is situated and the provision of service and the activities controlled under the Tasman Resource Management Plan under the Resource Management Act 1991. This rate will apply to those rating units in the Wai-iti Dam Rating Area that are permit holders under the Resource Management Act 1991 because they are able to use the amount of augmented water as permitted by their resource consent and apply it to the land in accordance with the amount and rate specified in the resource consent	Extent of provision of service: charged at \$ per hectare as authorised by water permits granted under the Resource Management Act 1991	\$ 328.55

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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3	Wastewater Rate		Provision of a service. The provision of service is measured by the number of toilets and/or urinals ("pans") connected either directly or by private drain to a public wastewater system with a minimum of one pan being charged per connected rating unit		
		First toilet or urinal ("pan")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 706.87
		2-10 toilets or urinals ("pans")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 530.15
		11 or more toilets or urinals ("pans")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 353.44
4	Regional River Works Rate		Every rateable rating unit in the District.		
		River Rating Area X Differential	Where the land is situated being rateable rating units in the River Rating Area X	Rate in the \$ of Land Value	0.102 cents
		River Rating Area Y Differential	Where the land is situated being rateable rating units in the River Rating Area Y	Rate in the \$ of Land Value	0.102 cents
		River Rating Area Z Differential	Where the land is situated being rateable rating units in the River Rating Area Z	Rate in the \$ of Land Value	0.023 cents

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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5	Motueka Business Rate		Where the land is situated being rateable rating units in the Motueka Business Rating Area A and B and the use to which the land is put. The land usage categories as set out in the Rating Valuations Rules 2008 for actual property use that will be charged for this rate include: Commercial, Industrial, Multi use commercial/ industrial, Residential- public communal/ multi use, Lifestyle- multi use, Transport, Utility services-communications, Community services- Medical and allied, and Recreational		
		Motueka Business Area A Differential	This will apply to properties with land use categories as listed above for rateable rating units in Motueka Business Rating Area A	Rate in the \$ of Capital Value	0.0423 cents
		Motueka Business Area B Differential	This will apply to properties with land use categories as listed above for rateable rating units in Motueka Business Rating Area B	Rate in the \$ of Capital Value	0.0273 cents
6	Richmond Business Rate		Where the land is situated being rateable rating units in the Richmond Business Rating Area and the use to which the land is put. The land usage categories as set out in the Rating Valuations Rules 2008 for actual property use that will be charged for this rate include: Commercial, Industrial, Multi use commercial/ industrial, Residential- public communal/ multi use, Lifestyle- multi use, Transport, Utility services-communications, Community services- Medical and allied, and Recreational	Rate in the \$ of Capital Value	0.0469 cents
7	Ruby Bay Stopbank Rate		Where the land is situated being rateable rating units in the Ruby Bay Stopbank Rating Area	Fixed amount \$ per Rating Unit	\$ 1,072.38

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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8	Mapua Stopbank Rate		Where the land is situated being rateable rating units in the Mapua Stopbank Rating Area	Fixed amount \$ per Rating Unit	\$ 56.67
9	Motueka Flood Control Rate		Where the land is situated being rateable rating units in the Motueka Flood Control Rating Area A and B		
		Motueka Flood Control Area A Differential	Where the land is situated being rateable rating units in the Motueka Flood Control Rating Area A	Rate in the \$ of Capital Value	0.0068 cents
		Motueka Flood Control Area B Differential	Where the land is situated being rateable rating units in the Motueka Flood Control Rating Area B	Rate in the \$ of Capital Value	0.0010 cents
10	Torrent Bay Replenishment Rate		Where the land is situated being rateable rating units in the Torrent Bay Rating Area A and B		
		Torrent Bay Area A Differential	Where the land is situated being rateable rating units in the Torrent Bay Rating Area A	Fixed amount \$ per Rating Unit	\$ 857.52
		Torrent Bay Area B Differential	Where the land is situated being rateable rating units in the Torrent Bay Rating Area B	Fixed amount \$ per Rating Unit	\$ 270.79
11	District Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 46.97
12	Shared Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 64.22
13	Facilities Operations Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 50.48
14	Museums Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 56.33
15	Refuse/ Recycling Rate		Where the land is situated being rating units in the Refuse- Recycling Rating Area	Fixed amount \$ per Rating Unit	\$ 136.23
16	Mapua Rehabilitation Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 5.94

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST inc.)
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17	Golden Bay Community Board Rate		Where the land is situated being rateable rating units in the Golden Bay Community Board Rating Area, which is the Golden Bay Ward	Fixed amount \$ per Rating Unit	\$ 19.37
18	Motueka Community Board Rate		Where the land is situated being rateable rating units in the Motueka Community Board Rating Area, which is the Motueka Ward	Fixed amount \$ per Rating Unit	\$ 19.12
19	Warm Tasman Rate		Provision of service which occurs when homeowners apply and are approved into the scheme which results in the installation of a wood burner and/or insulation into their property	Extent of provision of service: calculated per \$ of the total cost of the installed works and the administration fee charged over a 9 year period including GST and interest	\$ 0.1553
20.1	Waimea Community Dam- Environmental and Community Benefits Districtwide Rate		Every rateable rating unit in the district	Fixed amount \$ per rating unit	\$17.98
20.2	Waimea Community Dam- Environmental and Community Benefits ZOB Rate		Where the land is situated being rateable rating units in the Waimea Community Dam Zone of Benefit Rating Area	Rate in the \$ of Capital Value	0.0025 cents

And;

3. sets the dates and amounts for payment of rates in 2019/2020 as follows;

For rates other than volumetric metered water rates, rates are set as at 1 July and the Council invoices rates quarterly, with the instalment dates being 1 August, 1 November, 1 February, and 1 May. Each instalment is one quarter of the total annual rates payable for the year. Rates are due and payable to the Tasman District Council. The 2019/2020 rates instalments due dates for payment are:

Instalment 1	20-August-19
Instalment 2	20-November-19
Instalment 3	20-February-20
Instalment 4	20-May-20

Volumetric metered water rates are invoiced separately from other rates. Invoices for the majority of users are issued six monthly and invoices for larger industrial users are issued monthly.

The 2019/2020 due dates for payment are as follows:

Meters invoiced in June (may include but is not limited to meters in	22-July-19
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Murchison, Upper Takaka, Pohara, Collingwood, meters W00898, W00897, W00906, W45268)	
Meters invoiced in July (may include but is not limited to meters in Hope, Brightwater, Wakefield, Tapawera, meters W00898, W00897, W00906, W45268)	20-August-19
Meters invoiced in August (may include but is not limited to meters in Mapua, meters W00898, W00897, W00906, W45268)	20-September-19
Meters invoiced in September (may include but is not limited to meters in Motueka, Kaiteriteri, Riwaka, meters W00898, W00897, W00906, W45268)	21-October-19
Meters invoiced in October (may include but is not limited to meters in Richmond, meters W00898, W00897, W00906, W45268)	20-November-19
Meters invoiced in November (may include but is not limited to meters W00898, W00897, W00906, W45268)	20-December-19
Meters invoiced in December (may include, but not limited to meters in Murchison, Upper Takaka, Pohara, Collingwood, meters W00898, W00897, W00906, W45268)	20-January-20
Meters invoiced in January (may include but is not limited to meters in Hope, Brightwater, Wakefield, Tapawera, meters W00898, W00897, W00906, W45268)	20-February-20
Meters invoiced in February (may include but is not limited to meters in Mapua, meters W00898, W00897, W00906, W45268)	20-March-20
Meters invoiced in March (may include but is not limited to meters in Motueka, Kaiteriteri, Riwaka, meters W00898, W00897, W00906, W45268)	20-April-20
Meters invoiced in April (may include but is not limited to meters in Richmond, meters W00898, W00897, W00906, W45268)	20-May-20
Meters invoiced in May (may include but is not limited to W00898, W00897, W00906, W45268)	22-June-20

Payments received will be applied to the oldest outstanding amounts first; and

4. authorises penalties to be added to rates that are not paid after the due date as follows;

For rates other than volumetric metered water rates, under Section 57 and 58 of the Local Government (Rating) Act 2002 the Council prescribes a penalty of ten percent (10%) of the amount of rate instalments remaining unpaid after the due date to be added on the following dates:

Instalment 1	21-August-19
Instalment 2	21-November-19
Instalment 3	21-February-20
Instalment 4	21-May-20

For volumetric metered water rates, a penalty of 10 percent (10%) will be added to the amount of metered water rates remaining unpaid after the due date to be added on the following dates:

Meters invoiced in June	23-July-19
Meters invoiced in July	21-August-19
Meters invoiced in August	23-September-19
Meters invoiced in September	22-October-19
Meters invoiced in October	21-November-19
Meters invoiced in November	23-December-19
Meters invoiced in December	21-January-20
Meters invoiced in January	21-February-20
Meters invoiced in February	23-March-20
Meters invoiced in March	21-April-20
Meters invoiced in April	21-May-20
Meters invoiced in May	23-June-20

On 4 July 2019, a further penalty of five percent (5%) will be added to rates (including previously applied penalties) that remain unpaid from previous years on 1 July 2019. On 7 January 2020, a further penalty of five percent (5%) will be added to any portion of previous years' rates (including previously applied penalties) still remaining unpaid on 4 January 2020.

The above penalties will not be charged on a rating unit where the Council has agreed to a programme for payment of rate arrears or where a direct debit programme is in place and payments are being honoured.

CARRIED

8.5 Water Supply Bylaw

Activity Planning Manager, Dwayne Fletcher and Activity Planning Advisor – Water and Wastewater, Helen Lane were present to speak to the report. Ms Lane said that staff were seeking approval from Council for a second round of public consultation on the draft Bylaw. She said that staff were proposing several changes to the draft Bylaw based on feedback from the first round of consultation and learnings taken from the recent drought.

The main changes were identified as being to determination of the baseline for 10% and 20% reductions and to the reduction range. It was also proposed to have separate categories and different types of restrictions for private residential pools to public and school pools, recognising the public service component of the latter. It was noted that the Richmond Aquatic Centre would now be classified as a business and so subject to that category of rationing limits.

The last major change was to provide clarification about water that is used for stock purposes. Ms Lane confirmed that the new draft Bylaw proposed it was only at the last restriction stage that users would be asked to prohibit usage for stock.

Mr Fletcher advised that staff had received late legal advice after the report had been published, which suggested minor wording changes that did not affect the substance of the draft Bylaw. He said for this reason it was recommended to add a resolution allowing the Mayor and Engineering Services Chair to make minor editorial changes to the documents listed in part 2 of the resolution.

Mr Fletcher noted that Council should consider whether it wanted the hearing panel to be comprised of the Full Council or nominated members.

Delegated authority given to the Engineering Services Manager was discussed. Mr Fletcher confirmed that the Engineering Services Manager would have delegated authority during phases A and B, but anything from phase C restrictions onwards would require a decision of Council.

Pool restrictions were discussed in light of people using their pools during intense droughts as a bathing alternative to baths and showers, which Council felt was responsible usage. Mr Fletcher said that the prohibitions were designed to stop people filling their pools after restrictions were in place and that the proposal was not to restrict people from using pools that were already full.

Council heard that there were two water management mechanisms in place for rationing limits, through the Tasman Resource Management Plan and through the Water Supply Bylaw. Council asked whether consultation on the Bylaw will enable reconsideration of the power to switch of residential water supplies. Mr Fletcher responded that this was a fundamental aspect of the Bylaw, providing room to cease supply if there is sufficient drastic cause to limit the normal supply of water.

Ms Lane said that communication with the community is key and that engineering staff would work with communications team to pre populate a communications plan based on all phases of restriction.

Council agreed the hearing panel should be comprised of the Full Council.

Moved Cr Wensley/Cr Tuffnell CN19-05-25

That the Full Council:

- 1. receives the Water Supply Bylaw RCN18-05-24; and**

2. **approves the amended draft Consolidated Bylaw – Chapter 10 – Public Water Supply Bylaw 2016 (Attachments 1 and 7), the statement of proposal (Attachment 2), the summary of information (Attachment 3), and the public notice (Attachment 4); and**
3. **agrees that the Special Consultative Procedure will be undertaken, rather than a targeted consultation that was previously considered at the deliberations meeting; and**
4. **agrees the most appropriate method for distribution for public consultation is by public notice; and then making copies of the amended draft Consolidated Bylaw – Chapter 10 – Public Water Supply Bylaw 2016, the statement of proposal, and the summary of information available for viewing on the Council website and in its offices and libraries from 5 June 2019; and**
5. **agrees that the Council will also provide written notification (Attachment 5) to:**
 - **residents and organisations who submitted on the initial draft bylaw;**
 - **top 20 commercial water users;**
 - **organisations that provide community pool facilities; and**
 - **Rural Water Supply Committees.**
6. **notes that the amended draft Consolidated Bylaw – Chapter 10 – Public Water Supply Bylaw 2016, does not give rise to any implications under the New Zealand Bill of Rights 1990; and**
7. **agrees that Full Council will hear and consider submissions on the amended draft Public Water Supply Bylaw 2016; and**
8. **notes the Consultation Document (Attachment 6); and**
9. **notes that consultation will take place from 5 June 2019 to 5 July 2019; and**
10. **agrees that the Mayor and Engineering Services Committee Chair may make minor editorial changes to documents listed in resolution 2.**

CARRIED

The meeting broke for morning tea at 10.51am and reconvened at 11.07am.

8.3 Rating Policy - Retirement Villages

Revenue Accountant, Kelly Kivimaa-Schouten was present to speak to this report. Ms Kivimaa-Schouten advised Councillors that any shift in ratings policy would be extremely significant and would require a substantial amount of work.

In response to a question, Corporate Services Manager Mike Drummond confirmed that Council had undertaken an in depth review of its rating mechanisms as part of the 2015-2025 Long Term Plan and had decided at that time that the most favourable option was to continue with the status quo. This was examined again for the 2018-2028 Long Term Plan and Council had arrived at the same conclusion.

The fairness of the current rating system was discussed in relation to the comments made by Mr Aubrey during public forum. Mr Drummond said that the issue of fairness was one for Council to

turn its mind to and that the impacts across the whole district should be considered. Engineering Services Manager, Richard Kirby added that the level of service aspect should also be considered in terms of whether different types of dwelling received the same levels of service for things like waste collection.

Councillors acknowledged there was no easy solution, but discussed whether a review could be undertaken over time to ensure general ratepayers were not subsidising other ratepayers.

In relation to levels of service, Councillors acknowledged that there were already ratepayers being charged for waste collection services who used private services.

An opinion was offered that no rating solution would be favoured by the whole community as generally people did not favour paying rates. There are so many individual variables and differences in individual circumstances that the benefits of any review would not outweigh the work involved to complete such a review. Council were advised that it could not be assured there would be a greater benefit to the majority of people following any review.

In response to a question, Mr Drummond said that the challenges of rural accommodations, for holiday lets or seasonal workers for example, were considered separately if in use for a period of 30 days or more. He added that robust drafting around the definition of a supplementary dwelling was essential, as was drafting of any rebate mechanism.

It was noted that funding to complete the review work would come from the Corporate Services departmental budget, but would require reprioritisation of other work in light of the additional expenditure and requirement of staff time.

Targeted uniform rates were discussed and the ways in which the fairness of these could be measured. Councillors asked what the implications of deferring a decision on this matter until the new triennium would be. Mr Drummond advised the timeline was the issue. If the decision was deferred staff would not be able to provide the material needed for the incoming Council to make an informed decision on the use of Separately Used or Inhabited Parts (SUIPs) in time for the next Long Term Plan round.

Cr Tuffnell declared that he held a role as Chair for the Waimea [retirement] Village and that for this reason he would not participate in voting on this item.

When asked why the option of undertaking this work had not been brought before Council earlier, Mr Drummond said that since the initial workshops held in 2015, rating of retirement villages had been brought before a number of Councils. He said that the issue was broader than just the rating system as there were implications from consent requirements, permitted activities and other flow on affects that may not be fully appreciated at the time.

Council noted the contribution of retirement/lifestyle villages to the Tasman economy and confirmed that its desire was to ensure fairness, not to adversely and disproportionately impact lifestyle villages.

An opinion was offered that while this work could provide useful, it was not essential in light of other more important work, such as development of a climate change strategy or of a responsible camping strategy. Council acknowledged that requests for works and services were increasing and that planned works were already being deferred due to budget constraints. They debated whether this review was a constructive piece of work and discussed whether the benefits to the community outweigh the cost.

**Moved Cr Ogilvie/Cr Canton
CN19-05-26**

That the Full Council

1. receives the Rating Policy - Retirement Villages RCN19-05-22; and
2. notes that the final decision for future rating policy for fixed charge rates would be given effect to in the Revenue & Financing Policy adopted prior to and as part of the Long Term Plan 2021-2031; and
3. authorises expenditure on the preliminary work for Stage 1 of a fixed charge rating review which includes determining the definition of Separately Used or Inhabited Parts (SUIPs) and the likely number of SUIPs in the District, currently un-budgeted, estimated at between \$30k - \$60k, which will need to be met from deferring or re-prioritising other work; and
4. notes that part of this work can only be undertaken by an external party and is expected to take at least six months to complete; and
5. notes that staff will report back to the Full Council with the outcomes and implications of Stage 1 work when that work is completed.

Crs Greening and Canton called for a division.

Brown	Against
Bryant	Against
Canton	For
Greening	For
Kempthorne	Against
King	Against
McNamara	Against
Ogilvie	For
Sangster	For
Tuffnell	Abstained
Turley	For
Wensley	For

With 6 FOR, 5 AGAINST the motion was CARRIED.

8.4 Opportunity to Submit Alternative Proposal to Golden Bay Local Board Proposal Report

Chief Executive Janine Dowding confirmed that the Local Government Commission had called for alternative proposals to the Golden Bay Local Board Proposal. She said that, as examined during the workshop, Council might prefer not to make an alternative proposal but may wish to provide comment and ask the Commission to consider matters that would impact the district.

Councillors agreed to include comments on matters 1–17 as listed in attachment 2 to the report. They requested a change to number 7 to read 'local board model...any better than a community board model'.

Ms Dowding confirmed that the commentary within the submission to the Commission would elaborate on the points made and that the attachment to the report was only a summary. Council asked whether the submission could highlight current tensions with commercial activities.

Motueka Community Board have made a submission that is not in favour of the Golden Bay Local Board proposal. While no other community has picked up on wanting a local board Ms Dowding advised that Council cannot rule out that someone might make a submission, although she said that staff were not aware of one.

Councillors asked whether Council's submission could be forwarded to the various community groups to detail that there are other implications for the district than those outlined in the Golden Bay Local Board Proposal, which claimed that there were none. Environment and Planning Manager, Dennis Bush-King agreed that staff would check this with the Local Government Commission.

It was agreed that a letter sent to the Golden Bay ward Councillors from the Local Board working group would be forwarded to all Councillors and to the Chief Executive, with the request that the Chief Executive ensure any submission to the Commission address any factually incorrect statements contained in that letter.

Corporate Services Manager, Mike Drummond advised that it is not possible to calculate the financial implications as there were a number of outcomes the Commission could decide on. The Chief Executive said that the next steps were for the Commission to consider a preferred option in light of all submissions and then to consult on that option.

Council confirmed that it should be included in the submission that it is open to considering allocation of additional delegations to the community boards.

Cr Ogilvie asked for it to be noted that he did not participate in debate or decision on this item.

In response to a question, the Chief Executive confirmed that it was included in the proposed comments that any decision would need to take in to account co governance models with iwi and post treaty settlement considerations.

**Moved Cr Tuffnell/Cr Canton
CN19-05-27**

That the Full Council:

- 1. receives the Opportunity to Submit Alternative Proposal to Golden Bay Local Board Proposal Report RCN19-05-23; and**
- 2. advises the Local Government Commission that Council is concerned that the Commission may release its preferred option for public consultation between when nominations open and the holding of the October local government elections, which could**
 - (i) reduce the willingness of candidates to put themselves forward for the Golden Bay Ward or Community Board due to the potential for their term to be shortened;**
 - (ii) be confusing for voters; and**
 - (iii) negatively affect the election turnout if any preferred option was to propose changing the District's current representation; and**
- 3. agrees not to submit an alternative proposal to the application from the 'Working Group for a Golden Bay local board' for the establishment of a local board covering the area of the present Golden Bay Ward of Tasman District; and**

4. **agrees to submit a response to the Commission which asks it to consider the list of the key matters contained in Attachment 2 to report RCN-05-23 when it is identifying the reasonably practicable options for the Tasman District and identifying its preferred option; and**
5. **instructs staff to prepare a Council submission based on 4. above, to the Commission, for approval by the Mayor and Deputy Mayor, prior to submitting it and after offering Councillors an opportunity to provide feedback.**

CARRIED

8.6 New Zealand Infrastructure Commission/Te Waihangā Bill

Engineering Services Manager, Richard Kirby was present to speak to the report and take questions. He noted comments made previously by the Mayor, which he said would be included in the report.

That the Full Council receives the New Zealand Infrastructure Commission/Te Waihangā Bill report, RCN19-05-25.

8.7 Six-monthly Review of Council's Long Term Plan Levels of Service

A correction was noted to the on track service figure, from 49% to 48%. The balance of the report was taken as read. Graduate Policy Advisor, Julie Nguyen and Senior Policy Advisor, Alan Bywater were present to take questions.

Cr King left the meeting at 12.21pm.

Targets for water loss were discussed, in particular the 39% loss issue for Wakefield, where upgrade works had been deferred due to budget constraints. Activity Planning Manager, Dwayne Fletcher advised that the targets for leakage reduction were variable and changed from year to year.

Cr Sangster left the meeting at 12.26pm.

Mr Bywater advised that the 39% was for the six months to the end of December 2018 and that since then leak detection work had been undertaken, which would probably see this percentage reduced. Engineering Services Manager, Richard Kirby also added that work to address the broken pipe was not in the capital work programme, but would be treated as priority.

Mr Bywater advised that the delay in the six monthly review report coming to Council was a result of other work having taken priority, such as the fires and drought earlier in the year.

Cr Ogilvie left the meeting at 12.30pm.

Cr King returned to the meeting at 12.30pm.

In response to a question, Mr Bywater confirmed that this reporting was for the first year of the current Long Term Plan 2018-2028 and that these service levels were being reported for the first time.

**Moved Cr Wensley/Mayor Kempthorne
CN19-05-28**

That the Full Council receives the Six-monthly Review of Council's Long Term Plan Levels of Service Report RCN-05-26.

CARRIED

The meeting broke for lunch at 12.32pm and reconvened at 1.06pm. Crs King, Turley and Bryant were not present when the meeting reconvened.

8.8 Pakawau Esplanade Reserve - Rock Placement

The Chief Executive provided a summary of the request for rock placement by the Pakawau Residents' Association and invited Reserves and Facilities Manager, Richard Hollier and Resource Scientist - Rivers and Coast, Eric Verstappen to speak to the report and take questions.

Cr Turley re-joined the meeting at 1.08pm.

The proposed location for repositioning the rocks was discussed.

Cr King re-joined the meeting at 1.09pm.

Mr Hollier confirmed that the rocks would be placed on the esplanade reserve, close to the boundary of the properties. The Chief Executive added that the action sought by the residents was to place the rocks where they had been situated previously. She said that this action would require a variation to the current consent to allow for the burying of rock should there be a requirement for any further sand push-ups.

Cr Bryant re-joined the meeting at 1.13pm.

The community proposed to replace the rocks themselves and do take this action immediately. The Chief Executive explained that she had urged them not to do this until Council had considered the issue. She explained that there was a residents' association meeting on 1 June 2019 and that she had wanted Council to have the opportunity to consider the issue and reach a decision ahead of that.

Cr Wensley asked for it to be noted that she would abstain from voting because she felt there was insufficient information to make a decision on this matter.

**Moved Cr Sangster/Cr Brown
CN19-05-29**

That the Full Council

- 1. receives the Pakawau Esplanade Reserve - Rock Placement Report RCN19-05-29; and**
- 2. agrees to the request from the Pakawau Coastal Residents Association to reposition scattered rock removed from the esplanade reserve and beach in line with previous historical placement.**

Cr Wensley abstained from voting.

CARRIED

9 CONFIDENTIAL SESSION

Moved Cr King/Cr Canton
CN19-05-30

9.1 Procedural motion to exclude the public

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 Tasman's Great Taste Trail - Mapua Ferry Alternative Options

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.

9.3 Accommodation Lease Approval

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 concluded at 2.31pm.

Date Confirmed:

Chair:

Unconfirmed