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**MINUTES**  
of the  
**FULL COUNCIL MEETING**  
held  
**1.00 pm, Thursday, 7 March 2019**  
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, 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), Acting Engineering Services Manager (D L Fletcher), Activity Planning Adviser (H Lane), Utilities Manager (M Schruer) and Senior Executive Assistant (R L Scherer)

Legal Adviser, Fletcher Vautier Moore (S Ritchie)

**1 OPENING, WELCOME**

The Mayor opened the meeting and welcomed everyone.

**2 APOLGIES AND LEAVE OF ABSENCE**

**Recommendation**

**There were no apologies.**

**3 PUBLIC FORUM**

**Maxwell Clark** spoke about the current water crisis in Tasman District and the amount of water being used by Fire and Emergency New Zealand to fight the Pigeon Valley fire. Mr Clark questioned the figures provided in today's meeting agenda regarding water flows.

**Colin Garnett** congratulated those residents who are saving water during the current water supply crisis. Mr Garnett spoke about salt-water intrusion of the Council's aquifers and also the potential use of non-potable water from Bell Island. Mr Garnett talked about water rights and permitted water takes. He agreed that the District has a low annual rainfall but suggested that there is ample water available underground. Mr Garnett said that the Council's water restrictions should be equitable so everyone is facing the same cuts in their water supply.

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

Nil

#### **5 LATE ITEMS**

Nil

#### **6 PRESENTATIONS**

Nil

#### **7 REPORTS**

##### **7.1 Drought Management - Enforce Stage 5 Restrictions**

Acting Engineering Services Manager, Dwayne Fletcher spoke to the report contained in the agenda which was taken as read.

Mr Fletcher noted that a public meeting had been held in Richmond on Wednesday 6 March 2019 which had been well attended. Mr Fletcher provided a powerpoint presentation incorporating the feedback received from the public meeting.

Council's Legal Adviser, Stuart Ritchie spoke about the Council's obligations relating to water restrictions under the Local Government Act 1994 and the Council's Tasman Resource Management Plan. He agreed that under the legislation the Councillors need to satisfy themselves that they are acting lawfully in resolving to introduce any water restrictions. Mr Ritchie noted that section 9.3 of the report contained in today's agenda clearly sets out the issue, why the decision needs to be made and the timeframe for that decision.

Cr Maling spoke about the damage to the Waimea River by the current low river flows which he believes are also impacting on river life.

In response to a question, Mr Fletcher noted that the Richmond Aquatic Centre is being treated as a business and is fully complying with the current water restrictions.

The Councillors discussed the option of stormwater retention tanks being included as a requirement of consent on the new development at Richmond West. Mr Fletcher said that he was not aware of any specific requirement for these tanks being a condition of any new house build in this area.

The Councillors discussed the obligations placed on the Council to restrict water supplies through the Local Government Act. Mr Fletcher noted that the current water restrictions and the proposed further restrictions are related to the Council's powers contained within the Tasman District Council water supply bylaw.

Cr Greening asked that the minutes note that he does not support the proposals being put forward in today's resolution extending the powers of Engineering Services Manager to make water restrictions.

Cr King suggested that the Councillors need to understand the connection between the Tasman Resource Management Plan and the Council's Water Supply Bylaw. He noted that the vast majority of people who attended the public meeting appreciated being advised of what the Council is planning in terms of water restrictions. He noted that while the extreme water restrictions are unlikely, at least people are aware of what could happen. He said that the Council is relying on people's own personal choices in terms of water use and he applauded the

many residents who are consciously saving water. He suggested that the Council will learn from this current water supply crisis to make a positive long-lasting different in our community.

In response to a question, Utilities Manager, Mike Schruer confirmed that the Alliance meat plant had been formally advised they could have water to ensure they can process livestock that are being killed for humane reasons.

Mayor Kempthorne said that the Acting Engineering Services Manager will keep the Council informed on any further water restrictions or the ceasing of any restrictions through reports to the Full Council or the Engineering Services Committee.

Mayor Kempthorne thanked the Councillors and staff who were involved in the public meeting. He urged those staff who have been working long hours to ensure that they took some leave so they can enjoy some “down” time.

In response to a question about supplying water to the elderly or disabled in our community, Mr Fletcher said that staff are completing contingency plans to ensure that water continues to be available to key agencies such as schools, hospitals, rest homes and any residents with special needs.

Chief Executive, Janine Dowding advised the Council that she had raised the water supply restrictions with the Medical Officer Of Health and the Nelson Marlborough District Health Board. The District Health Board have advised that they are currently identifying vulnerable people within the community to ensure that arrangements are in place to supply water.

In response to a comment, Activity Planning Adviser, Helen Lane agreed that some people do not understand the differences between the range of water consents, eg urban consent and irrigator consent.

In response to a comment regarding the supply of water for human health and stock from the rural water schemes, Mr Fletcher said that staff are continuing to communicate with landowners to ensure they have the necessary water supply.

In response to a question, Mr Schruer said that the Council is considering the option of providing one cubic meter of water over three days to those on rural water restrictors. This would help to ensure the supply is stretched for as long as possible.

In his right of reply, Cr Maling noted that the response from the public during both the fire emergency and now the water supply crisis had been tremendous. He thanked all residents who had pulled together to accept the issues faced by the Council and the community and also to help each other.

Cr Greening called for a division.

<b>Brown</b>	<b>For</b>
<b>Bryant</b>	<b>For</b>
<b>Canton</b>	<b>For</b>
<b>Greening</b>	<b>Against</b>
<b>Hawkes</b>	<b>For</b>
<b>Kempthorne</b>	<b>For</b>
<b>King</b>	<b>For</b>
<b>Maling</b>	<b>For</b>
<b>McNamara</b>	<b>Against</b>
<b>Ogilvie</b>	<b>For</b>
<b>Sangster</b>	<b>For</b>

Tuffnell                    For  
Turley                      Against  
Wensley                    For

**CARRIED**

**Moved Cr Maling/Cr Bryant  
CN19-03-1**

**That the Full Council:**

- 1. receives the Drought Management - Enforce Stage 5 Restrictions report; and**
- 2. notes that staff have presented a summary of public feedback and recommendations at this meeting; and**

**Subject to the outcome of discussions on the public feedback:**

- 3. agrees to the following in response to rationing on the Waimea Plains Delta Zone:**
  - A. The current water restrictions remain in force if Council's abstraction limits are between 30% - 35% of our consents;**
  - B. The Council also ban the topping up of community swimming pools and may require business water use cuts of between 30% and 50% (depending on the extent of rationing) if:**
    - The Council's abstraction limits are between 20% - 29% of our consents; or**
    - Nelson's water supply to Tasman falls below 500 m<sup>3</sup> per day; or**
    - Any one of the Wakefield, Brightwater, Richmond, Waimea, or Redwood Valley scheme water sources is compromised and water must be piped or tankered from the other schemes;**
  - C. If a cease take order applies to the Council's water supplies, the Council may:**
    - ban all use of the public water supply except that the occupants of properties may use water supplied by the Council for their ordinary domestic and food preparation use (as defined by the Health Act 1956) and sanitary needs, and for animal welfare, fire-fighting, the functioning of food retailers and medical and care facilities; and**
    - set a maximum water use entitlement of 125 litres per day per person for dwellings (excluding water used for fire-fighting).**
- 4. agrees that the 88 Valley, Wakefield, Brightwater, Redwood, Richmond and Mapua/Ruby Bay water supplies maintain restriction parity with the other water schemes on the Waimea Plains unless their source water supplies are compromised; and**
- 5. agrees that the Council maintains a fully charged pipe network with all properties still receiving on-demand supply (for urban) and restricted supply (for rural and rural extensions) throughout all stages of rationing, unless the source water for a scheme is compromised; and**
- 6. agrees that if the source of water for a scheme is compromised, the Council may:**
  - A. cease normal supply to individual properties for all or part of a scheme and instead provide water via distribution points; and**
  - B. impose water restrictions equivalent to the cease-take restrictions in resolution (3)(C).**

7. authorises the Engineering Services Manager to implement parts 3-6 of this resolution:

**CARRIED**

**9 CONFIDENTIAL SESSION**

Nil

The meeting concluded at 1.57 pm.

Date Confirmed:

Chair:

Unconfirmed