
MINUTES
of the
EXTRAORDINARY FULL COUNCIL MEETING
held
2.00 pm, Thursday, 15 December 2016
at
Tasman Council Chamber, 189 Queen Street, Richmond

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

In Attendance: Chief Executive (L McKenzie), Governance Advisor (K Redgrove), Governance Support Officer (Hannah Simpson), Principal Legal Advisor (S Taylor), Corporate Services Manager (M Drummond), Community Relations Manager (C Choat)

Part Attendance: Environment and Planning Manager (D Bush-King), Activity Planning Manager (D Fletcher), Property Consultant (J Frater)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Nil.

3 DECLARATIONS OF INTEREST

Nil.

4 LATE ITEMS

Nil.

5 PRESENTATIONS

Mr M Dawson

Mr Murray Dawson presented to the meeting on the subject of the proposed Waimea Community Dam project. He questioned the validity of the data that had been used to support the project. He understood the demand for irrigation has in fact reduced in the delta. He challenged the need to proceed with the project.

Golden Bay Grand Stand Community Trust

The Golden Bay Grand Stand Community Trust (the Trust) withdrew their earlier apology for absence and their representatives, Jill and Bryony Pearson, presented to the meeting.

The Mayor asked the representatives if they were aware of the advice from their legal representative about the wisdom of the Trust speaking in a public meeting whilst their appeal was before the Court. They confirmed that they wished to proceed with their presentation and a written summary was circulated to Councillors.

They outlined a number of alternative options available and the associated costs estimates they had formulated.

Councillors were invited to put forward questions subject to a reminder there were Court proceedings brought by the Trust against Council that remained unresolved.

The Trust confirmed they wished to retain the grandstand because there was no viewing platform in the new recreation facility that had been built adjacent to the grandstand. They also considered the age, history and type of building made it unique, with important historic elements that were part of the community's identity.

The Trust advised they had not explored the cost of moving the grandstand but did consider there was an alternative option for parking for the new facility by using the land that is currently leased by Council from the Golden Bay Agricultural and Pastoral (A&P) Association.

The Golden Bay A&P Association

The Golden Bay A&P Association Vice-Chairman Noel Baigent spoke to the meeting. He reaffirmed the A&P Association have moved with the changes and is supportive of what is happening at the showgrounds.

He believed relocation of the grandstand has never been a consideration or an option for the A&P Show because it is where it should be. He considered the footprint of the grandstand is not large and so will not provide a great deal of additional car parking if it were to be demolished.

In response to Councillors call for clarification, Mr Baigent advised the A&P Association had only been comfortable with the removal of the grandstand based on the understanding there would be provision for covered seating in the new facility. He also confirmed they had seen the plans for the new facility that were provided at the time they signed a Memorandum of Understanding with the Golden Bay Shared Recreation Facility in December 2015.

Golden Bay Shared Recreation Facility (GBSRF)

The Chairman of GBSRF, Dean Lund, presented to the meeting, supported by Jenny Pomeroy.

Mr Lund recapped on the journey of the project, which had been a six year partnership between their organisation and the Council. He described the GBSRF as a stable group that had performed well and which comprised local people who have their roots in that community.

There was acceptance that the original plans had changed throughout this process but the overall understanding was that the new facility would replace everything that was currently on the site, including the grandstand. He added the new building would have been planned differently if it was anticipated the grandstand was to stay.

In response to a point of clarification, Mr Lund confirmed the GBSRF would be comfortable if car parking was on Council-owned land with at least a chip seal. With the grandstand structure in the middle of the car parking area, he would be concerned the functionality and access for the community would be compromised.

6 REPORTS

6.1 Golden Bay Recreation Park Grandstand decision from Heritage New Zealand

The Chief Executive spoke to this report on behalf of the Community Development Manager.

6.2 Engagement and Consultation on the Annual Plan 2017/2018

The Chief Executive spoke to this report. He advised the salient issue for consideration was whether Council would undertake the statutory consultation process for the Annual Plan. Staff were of the view that, having considered the significance and materiality of the proposed rates increase, levels of debt, levels of service and capital works programmes, there was no need to carry out a full consultation procedure to develop an Annual Plan for 2017/18.

Notwithstanding that view, it is recommended a significant amount of community engagement as to its provisions occurs.

The Community Relations Manager confirmed the public were still able to submit their thoughts on the draft Annual Plan and receive responses from Council staff but this would not be through a formal submission process.

MOVED by Cr Greening, seconded by Cr Hawkes:

That the Full Council

- 1. receives the Engagement and Consultation on the Annual Plan 2017/2018 report RCN16-12-18; and**
- 2. agrees that the proposed changes to the work programme, debt levels and rates for 2017/2018, compared to those set out year 3 of the Long Term Plan 2015-2025, are not significant or material; and**
- 3. agrees not to produce an Annual Plan Consultation Document for 2017/2018; and**
- 4. instructs staff to prepare a less formal communication/engagement process for the rates and services for 2017/2018, and as a means of seeking early input from the community for changes to be considered in the LTP 2018-2028; and**
- 5. notes that a final Annual Plan and rates resolution will be brought to a Council meeting in May 2017 for consideration and adoption; and**
- 6. notes that a report and Statement of Proposal will come to Council in February 2017 outlining the proposed Schedule of Charges for 2017/2018.**

CARRIED

6.3 2017 Calendar of Meetings

MOVED by Cr King, seconded by Cr Hawkes:

That the Full Council

1. adopts the 2017 Calendar of Meetings report RCN16-12-19.

CARRIED**6.4 Action Items - Previous Meetings**

MOVED by Cr Brown, seconded by Cr Canton:

That the Full Council

1. receives the Action Items - Previous Meetings report RCN16-12-20.

CARRIED

The meeting adjourned for afternoon tea at 3.20 pm and reconvened at 3.45 pm.

7 CONFIDENTIAL SESSION

Council agreed that Council's Property Consultant, James Frater, although not a member of staff, was permitted to remain for the 'in committee' session due to his close involvement with the Takaka Grandstand Project.

MOVED by Cr Hawkes, seconded by Cr Maling:

7.1 Procedural motion to exclude the public

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:

7.2 Nelson Airport Limited - Bank Facility 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)(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.

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Item 6.1 Golden Bay Recreation Park Grandstand decision from Heritage New Zealand

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The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary maintain legal professional privilege.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

CARRIED

The meeting reconvened in public meeting.

The conceptual proposal from the Trust to retain the grandstand was noted. The Mayor recapped to members of the public the new motion that had been put by Council that related to the Golden Bay Recreation Park Grandstand and the following 'in committee' resolution was released to the public:

MOVED by Cr Wensley, Seconded by Cr Hawkes

That the Full Council

1. receives the Golden Bay Recreation Park Grandstand decision from Heritage New Zealand report RCN16-12-17; and
2. receives the Heritage New Zealand Pouhere Taonga (HNZPT) decision authority number 2017/389: N26/308 for Council to remove the grandstand; and
3. notes that the Golden Bay Grand Stand Community Trust Inc has appealed HNZPT's decision to grant an archaeological authority to Council to demolish the grandstand (the Archaeological Appeal); and
4. agrees, as previously resolved by the full Council on 9 June 2016, to demolish the grandstand:
 - (a) in accordance with the conditions of the HNZ Archaeological authority dated 21 November 2016; and

(b) subject to the resolution, strike-out or withdrawal of the Archaeological Appeal;

- 5. notes that the removal of the grandstand may occur in a manner that enables the materials to be made available to interested parties who may wish to salvage or rebuild the grandstand elsewhere, subject to external funding.**

CARRIED

The meeting concluded at 5.34 pm

Date Confirmed:

Chair:

Confirmed