
MINUTES
of the
FULL COUNCIL MEETING
held
1.30pm, Thursday, 28 September 2017
at
Tasman Council Chamber, 189 Queen Street, Richmond

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

In Attendance: Chief Executive (L McKenzie), Executive Assistant (K Redgrove), Corporate Services Manager (M Drummond), Environment and Planning Manager (D Bush-King), Community Development Manager (S Edwards)

Part Attendance: Strategic Policy Manager (S Flood), Policy Advisor (S Holman), Senior Policy Manager (A Bywater), Finance Manager (R Holden), Senior Management Accountant (M McGlinchey), Environmental Information Manager (R Smith), Financial Accountant (B Grammer), Utilities Manager (M Schruer), Activity Planning Manager (D Fletcher), Principal Legal Advisor (S Taylor)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr Hawkes/Cr Maling
CN17-09-18

That apologies be accepted from Cr Canton and Cr Brown.

CARRIED

3 PUBLIC FORUM

Mr Ray Hellyer

Mr Hellyer voiced concerns in relation to a recent advertisement in the media placed by Waimea Irrigators Limited (WIL). He considered the statement made in response by Council staff was 'undignified and unprofessional'. He criticised the Council's lack of reaction to the WIL advertisement and called for the objectionable statement to be retracted.

Mr Maxwell Clark

Mr Clark referred to 'misleading' information relating to the proposed Waimea Community Dam project. He considered the Council's financial proposals for the project were 'irresponsible' and reminded Council of their legal obligations under the Local Government Act.

Mr Clark believed there was an abundance of alternative water sources available in various parts of the District that would negate the need for a dam.

Mr Tony Lewis – CEO, Tasman Rugby Union

Mr Lewis referred to the occasion of the All Black v Argentina Test Match that has now been scheduled to take place in September 2018. He considered this was an excellent opportunity to promote the Region. He reported that Trafalgar Park's capacity would be increased by an additional 21,000 seats to accommodate the event.

Mr Lew Solomon

Mr Solomon confirmed he had reviewed the external reports relating to the proposed Waimea Community Dam. He believed those external consultants failed to take into account Nelson City Council's Asset Management Plan which he believed demonstrated sufficient water surpluses that could be purchased by Tasman District Council.

Mr Murray Dawson

Mr Dawson expressed surprised the Councillors had voted for cost overruns to be allocated to the ratepayers for the proposed Waimea Community Dam. He maintained there was no issue securing water in the District from existing sources, with the possible exception of Waimea East. He said the best option was to do nothing.

Mr Paul Hogarty

Mr Hogarty advised he had a meeting with the Mayor and the Chief Executive last October to discuss a sequence of events concerning his property. He requested a full, unadulterated copy of the recording made at a meeting between himself and the Council's Regulatory Officer. He challenged the right of Council staff to enter onto private property and sought clarification of the relevant legislative authority upon which they relied to take such action.

The Mayor received a request from the GB Grandstand Trust to make an extended presentation in the Public Forum and exercised his discretion under Standing Order 14.1.

Presentation By The Golden Bay Grandstand Trust ('the Trust')

Mr Noel Baigent, Mr Duncan McKenzie and Mr Paul Crockford

Mr Baigent spoke on behalf of the Trust and acknowledged the work of the Environment and Planning Manager who had recently met with the Trust to discuss progress.

This progress was outlined by Mr McKenzie. He described the considerations around drainage and funding and confirmed the Trust's priority was to resolve the stormwater and carparking issues. He believed that the Trust was on target to meet the obligations set out in the resolution of Council earlier this year (27 July 2017) but stated the draft Agreement presented by the Council to the Trust is not acceptable to them, explaining the reasons why.

Mr Paul Crockford provided the meeting with a series of site plans and explained these were not to scale but set out the distances required to solve the drainage and car parking issues.

4 DECLARATIONS OF INTEREST

In relation to item 8.2, Activity Balances Report, Crs Tuffnell and Maling both declared an interest in the Nelson Tasman Business Trust and Cr Bryant declared an interest as a user of the Wa-iti Dam.

5 LATE ITEMS

Nil.

6 CONFIRMATION OF MINUTES

**Moved Cr Hawkes/Cr Wensley
CN17-09-19**

That the minutes of the Full Council meeting held on Thursday, 7 September 2017, be confirmed as a true and correct record of the meeting.

CARRIED

7 PRESENTATIONS

As above – in Public Forum.

8 REPORTS

8.1 Adoption of Annual Report 2016/2017

The Senior Policy Manager spoke to the report and explained the processes behind the preparation of its contents. The meeting was referred to a number of minor changes to the Annual Report that had been made since it had been published electronically.

He explained the professional presentation/design and some minor editorial issues have yet to be resolved.

The meeting heard that the Audit and Risk Committee had considered the draft Annual Report and made a number of recommendations. Subject to those recommendations being incorporated in the report, the Audit and Risk Committee recommended to Council that the Annual Report be adopted.

The Finance Manager explained there were a number of statements that are required to be made to the auditor that cover the authenticity of the financial information supplied within the Report. Councillors raised a number of questions concerning surpluses and how these can arise. The Finance Manager explained that there was a mixture of reasons why surpluses were created. Some are ongoing and some are one-off. Good global conditions have also played a part. He reassured Councillors that those staff responsible for holding budgets have been asked to look closely at their figures in relation to the Long Term Plan 2018-2028.

**Moved Cr Ogilvie/Cr Maling
CN17-09-20**

That the Full Council

- 1. receives the Adoption of the Annual Report 2016/2017 RCN17-09-16; and**
- 2. adopts the Annual Report 2016/2017 including the audit opinion, as tabled at the meeting, pursuant to section 98 of the Local Government Act 2002; and**
- 3. notes that the Summary Annual Report 2016/2017, as tabled at the meeting, will be published as a succinct summary of the Council's performance; and**
- 4. agrees to the Mayor, Deputy Mayor King and the Chief Executive Officer, signing off any further minor editorial amendments and the professionally designed versions of the Annual Report and Summary Annual Report prior to them being printed for public distribution and made available on the Council's website.**

CARRIED

The Mayor directed that item 8.3 be considered ahead of item 8.2.

8.3 Capital Carryovers 2016/17 to 2017/18

The Finance Manager spoke to this report and confirmed it related purely to those capital works in the 2016/17 year that needed to be brought through into the current year. It was noted the carry overs have substantially reduced from previous years and that these will influence the Long Term Plan which has yet to receive consideration.

Cr Wensley abstained from voting on this item.

**Moved Cr Bryant/Cr Tuffnell
CN17-09-21**

That the Full Council

- 1. receives the Capital Carryovers 2016/17 to 2017/18 report RCN17-09-18; and**
- 2. approves carrying the proposed budget carryovers totalling \$15.049m listed in Attachment 1 into the 2017/2018 financial year.**

CARRIED

8.2 Activity Balances Report

Councillors raised a number of questions in relation to the published balances. The Finance Manager, the Senior Management Accountant, the Environment and Planning Manager and the Corporate Services Manager responded with explanation and clarification of the points raised.

The Chief Executive Officer spoke to the item relating to the approval of an \$80,000 contribution towards the grandstand for the All Blacks game in 2018.

It was considered prudent to split the recommendation into four separate motions.

Cr Bryant stepped away from the table during discussions/voting on the following item, having declared an interest in part 26 of the motion.

**Moved Cr Ogilvie/Cr Maling
CN17-09-22**

That the Full Council

- 1. receives the Activity Balances Report report RCN17-09-17; and**
- 2. approves the use of \$10k to complete an operating project from the Community Facility activity balance, para 4.7.1 of this report;**
- 3. approves the use of \$111k to complete an operating project from the Community Facility activity balance, para 4.7.1 of this report;**
- 4. approves the carryover of \$315k to complete operating projects from the Parks and Reserves activity balance, para 4.7.3 of this report;**
- 5. approves the transfer of \$76k to the Parks and Reserves Emergency budget, para 4.7.4 of this report;**
- 6. approves the carryover of \$8k to complete operating projects from the Special Purpose Committee activity balance, para 4.7.5 of this report;**
- 7. approves the carryover of \$3k to complete operating projects from the Special Grants activity balance, para 4.7.6 of this report;**
- 8. 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;**
- 9. approves the carryover of \$23k to complete operating projects from the Community Recreation activity balance, para 4.7.7 of this report;**
- 10. approves the carryover of \$4k to complete operating projects from the Libraries activity balance, para 4.7.10 of this report;**
- 11. approves the use of \$257k to pay off internal loans from the Libraries surplus activity balance, para 4.7.10 of this report;**
- 12. approves the carryover of \$155k to complete operating projects from the Environmental Information activity, para 4.9.2;**
- 13. approves the carryover of \$247k to complete operating projects from the Environmental Policy activity balance, para 4.9.6 of this report;**
- 14. approves the use of \$111k to pay off internal loans from the Coastal Works general account, para 4.10.1 of this report;**
- 15. approves the use of \$228k to pay off internal loans from the Subsidised Roothing surplus activity balance, para 4.10.5 of this report;**
- 16. approves the use of \$100k to pay off internal debt from the Non Subsidised Roothing surplus activity balance, para 4.10.6 of this report;**
- 17. approves the use of \$170k to pay off internal loans from the Carpark surplus activity balance, para 4.10.7 of this report;**

18. approves the carryover of \$47k to complete operating projects from the Solid Waste general activity, para 4.10.13 of this report;
19. approves \$263k to pay off internal loans from the Solid Waste general activity, para 4.10.13 of this report;
20. approves the carryover of \$102k to complete operating projects from the Stormwater activity, para 4.10.15 of this report;
21. approves the carryover of \$216k to complete operating projects from the Wastewater activity, para 4.10.16 of this report;
22. approves the carryover of \$166k to complete operating projects from the Urban Water activity, para 4.10.17 of this report;
23. approves the use of \$50k for installing solar panels at Brightwater Water Treatment Plant from the Urban Water activity, para 4.10.17 of this report;
24. approves the carryover of \$27k to complete operating projects from the Motueka Water activity, para 4.10.18 of this report;
25. approves the carryover of \$145k to pay off internal loans from the Motueka Water general activity, para 4.10.18 of this report;
26. approves the carryover of \$56k to complete operating projects from the Wai-iti Dam Water Supply activity, para 4.10.22 of this report;
27. approves the carryover of \$8k to complete operating projects from the Hamama Water Supply activity, para 4.10.24 of this report;
28. approves the carryover of \$85k to complete operating projects from the Strategic Policy overhead area, para 4.11.2 of this report;
29. approves the carryover of \$70k to complete operating projects from the Finance overhead area, para 4.11.3 of this report;
30. approves the use of \$429,250 for the capital work associated with the Tourism Improvement Fund projects coming from the following Activities;
 - Parks and Reserves \$264k para 4.7.3
 - Solid Waste \$21k para 4.10.13
 - Non-subsidised Roding \$61k para 4.10.6
 - Wastewater \$69k 4.10.16
 - Strategic Policy \$15k (Feasibility Costs) para 4.11.2
34. notes that where funds are not used they will remain in the activity until a formal report to Council is made to request their release.

CARRIED

**Moved Cr King/Cr Greening
CN17-09-23**

31. approves an \$80k contribution and considers using the \$15,000 from the Special Grants Fund towards the grandstand for the All Blacks game in 2018 and the balance of \$65,000 from the rates growth fund.

There was a show of hands and the majority were in support of the motion. Cr McNamara wished to have his vote against the motion recorded.

CARRIED

Moved Mayor Kempthorne/Cr McNamara

CN17-09-24

32. notes a funding request will be discussed for the NDRA at a workshop on 6 October 2017 with a formal report coming back to Council for agreement;

CARRIED

Crs Maling and Tuffnell stepped away from the table and did not take part in the discussions/voting on the following item, having declared an interest earlier.

It was hoped there could be an allocation of funds for Queen Street businesses struggling due to the impact of the upgrade works. The meeting heard there had been opportunities for discussions between those businesses and members of the Nelson Tasman Business Trust over the last few weeks.

Moved Cr King/Cr McNamara

CN17-09-25

33. notes a funding request will be discussed for the Nelson Tasman Business Trust at a workshop on 4 October 2017 with a formal report coming back to Council for agreement;

CARRIED

8.4 Regional Pest Management Proposed Plan

Councillors congratulated staff on their efforts in relation to this significant and long-running piece of work.

Moved Cr Bryant/Cr Greening

CN17-09-26

That the Full Council

- 1. receives the Tasman Nelson Regional Pest Management Plan Report RCN17-09-19 and Proposal; and**
- 2. notes that the meeting of the joint Regional Pest Management Committee, held on 29 August 2017, approved the Tasman Nelson Regional Pest Management Plan Proposal for recommendation to Tasman District Council and Nelson City Council to publicly notify for submissions; and**
- 3. approves the Plan proposed for public notification and request for submissions as a Regional Pest Management Plan Proposal prepared under Section 70(1(a)) of the Biosecurity Act 1993; and**

- 4. authorises the Regional Pest Management Committee Chair and Deputy Chair to approve any final amendments arising from this Council meeting or Ministry for Primary Industries audit prior to its public notification.**

CARRIED

8.5 Referral of Saxton Field Committee minutes and recommendations

The Community Development Manager spoke to this report and explained the rationale behind the recommendation. An increase and shift in population numbers between Nelson and Tasman Districts was taken into consideration.

Some Councillors expressed doubt about the level of use by those in the wider, more remote parts of the District. Despite this, the majority recognised the value and the benefit that Saxton Field will bring to all the surrounding communities for decades to come.

As an aside, the Community Development Manager undertook to provide clarity on the cost sharing split as it stood prior to this recommendation.

**Moved Cr King/Cr Maling
CN17-09-27**

That the Full Council

- 1. receives the Referral of the Saxton Field Committee Minutes and Recommendations Report RCN17-09-20 and**
- 2. notes the recommendations to the Tasman District Council contained in the minutes of the Saxton Field Committee meeting on 30 August (Attachment 1 to this report); and**
- 3. approves the funding split for Saxton Field Capital and Renewals Projects (excluding any community contribution payable), and Operations and Maintenance activities, as from 1 July 2018, at 50% from Nelson City and 50% from Tasman District, subject to Nelson City Council passing a similar resolution; and**
- 4. approves, in principle, the capital works programme for Saxton Field contained in Attachment 3 to this report for incorporation into Council's draft budgets as part of the Long Term Plan 2018-2028 process, subject to Nelson City Council passing a similar resolution.**

CARRIED

8.6 Uplift of Deferred Zone - Hari and Topi Way, Mapua

**Moved Cr McNamara/Cr Sangster
CN17-09-28**

That the Tasman District Council

- 1 receives the report 'Uplift of Deferred Zone – Hari and Topi Way' RCN17-09-21; and**

2 approves the removal of the Rural 1 deferred Residential zone status over the follow land at Mapua:

- Lot 1 DP17890;
- Lot 1 307114;
- Lots 1, 77-91, 101 & 102 DP 504876

and its rezoning in accordance with the following update to Schedule 17.14A, including consequential changes to the planning maps, pursuant to Rule 17.14.2 of the Tasman Resource Management Plan, effective over that land from the date of this resolution.

Schedule 17.14A: Deferred Zone Locations

| Location of Area | Effective Zone until Removal of Deferral | Reason for Deferral | Date of Resolution for Removal of Deferral | Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed | Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council | Effective Zone after Removal of Deferral |
|--|--|---------------------|--|--|---|--|
| Mapua between Iwa Street and Aranui Road Lot 1 DP17890; Lot 1 307114; and Lots 1, 77-91, 101 & 102 DP 504876; | Rural 1 | Stormwater | 28/9/17 | | Plan 6937/5 | Residential |

CARRIED

8.7 Uplift of Deferment at 551 Lower Queen Street

Moved Cr Hawkes/Cr Turley
CN17-09-29

That the Tasman District Council

1. receives the report 'Uplift of Deferment at 551 Lower Queen Street' RCN17-09-22; and
2. approves the removal of the deferred Light Industrial zone status over the lands at 551 Lower Queen Street, Richmond, as shown in Attachment 1 of RCN17-09-05, and its rezoning from Rural 1 to Light Industrial Zone pursuant to Rule 17.14.2 of the Tasman Resource Management Plan, effective over that land from the date of this resolution.

Schedule 17.14A: Deferred Zone Locations

| Location of Area | Effective Zone until Removal of Deferral | Reason for Deferral | Date of Resolution for Removal of Deferral | Where Services Proposed by Developer. Legal Description of any Part of Area where Deferral Removed | Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council | Effective Zone after Removal of Deferral | CS1 1/15 Op 9/16 |
|--|--|---|--|--|---|--|---------------------|
| Richmond West Development Area: Areas notated F, G, H and I on the planning maps | Rural 1 | Area F: Stormwater service required Area G: Reticulated water, wastewater and stormwater services required Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of Area H | | | | Light Industrial | |

CARRIED

9 CONFIDENTIAL SESSION

Nil.

The meeting concluded at 4.15 pm.

Date Confirmed:

Chair: