
MINUTES
of the
FULL COUNCIL MEETING
held
9.30am, Thursday, 14 December 2017
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, P Sangster

In Attendance: Chief Executive (L McKenzie), Executive Assistant (K Redgrove), Corporate Services Manager (M Drummond), Community Development Manager (S Edwards), Environment and Planning Manager (D Bush-King), Engineering Services Manager (R Kirby), Online Communications Officer (B Catley), Regulatory Services Manager (A Humphries), Finance Manager (R Holden), Revenue Accountant (K Kivimaa-Schouten), Reserves and Facilities Manager (B Wilkes), Administration Officer – Animal Control (R Connochie), Strategic Policy Manager (S Flood), Senior Policy Advisor (A Bywater), Policy Advisor (A Gerraty), Utilities Manager (M Schruer), Activity Planning Manager (D Fletcher), Activity Planning Advisor – Transportation (D Bryant) Property Services Manager (M Johanssen), Information Services Manager (P Darlington), Business Systems Analyst (L Hegarty), Asset Engineer – Waste Management & Minimisation (D Stephenson), Online Services Architect (R Liddicoat), Community Relations Manager (C Choat)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Nil.

3 PUBLIC FORUM

Mr Graeme Hughson

Mr Hughson spoke to the meeting and explained he was a civil engineer living at Patons Rock. He spoke about Golden Bay Grandstand and recapped on the resolution made by Council at their last meeting on 16 November 2017. He referred to the consideration of an alternative site that is some 18 metres to the south of the Recreation Centre. He said this seems to be a

workable solution either to be undertaken by the Golden Bay Grandstand Community Trust (the Trust) or a new entity. The Trust supported the concept, along with others in the community.

Mr Chris Tonkin and Ms Evie South – Wakefield Restoration Society

Mr Tonkin and Ms South referred to the proposed Freedom Camping Bylaw and the measures required to prevent freedom camping on the Edward Baigent Memorial Scenic Reserve. They were uncertain whether the recommendations made in the report to Council would address the short term situation and expressed concern that there would not be adequate resources to enforce the provisions of the bylaw, install vehicle barriers and erect effective signage.

Mr Maxwell Clark

Mr Clark congratulated Cr Hawkes on his conduct as Chair at the recent Freedom Camping hearings and hoped that Council would invest sufficient funding to tackle the issues raised.

Mr Clark referred to the recent Submissions Hearings for the proposed Waimea Community Dam. He considered the feedback demonstrated the project does not have the support of ratepayers. He wanted to see Council waiting for the outcome of a tender price before making any decisions to proceed and referred to the statement made by John Palmer of Waimea Irrigators Limited (WIL) indicating their Product Disclosure Statement will not be available until February 2018.

Mr Brent Maru

Mr Maru congratulated Councillors and staff on the conduct of the recent Freedom Camping hearings and was hopeful that a decision would be made to regulate this activity. He described concerns that had been expressed by residents at the noise from a few freedom campers. He highlighted some discrepancies in the recommendations and associated documentation in relation to the Motueka Beach Reserve. He set out a number of requests and recommendations on monitoring and enforcement and emphasised the need for sufficient resources to be allocated to these activities.

Ms Sara Chapman, Golden Bay Shared Recreation Facility (GBSRF)

Ms Chapman reminded Councillors that a year ago, Council were facing an Environment Court action brought by the Trust. ~~She made reference to the decision on a Grandstand in Whangerei where it was concluded the project was not feasible.~~

~~Ms Chapman was aware that projects of this type have been successfully undertaken elsewhere in the country (ie. the Grandstand in Whangerei), but with removal of the upper half of the Grandstand by Sollys, she expressed doubt that this exercise will be as straight forward as has been suggested. Despite this view, she confirmed the GBSRF supported the relocation, restoration and reinstatement on another site.~~

Mr Martyn Barlow

Mr Barlow spoke as a member of the Mapua community. He expressed the view that the Mapua Waterfront Area Masterplan (Masterplan) was a poorly written, unbalanced document and the report recommending it be adopted supported a pre-determined position. He considered the proposed Waimea Dam consultation process appeared to be a replication of this flawed Masterplan process. It was his belief that Council has long had the intention to remove the boat ramp from the wharf to achieve their own commercial interests. He said the community are determined to fight for a replacement ramp to be built.

Mr Barlow also called for a public apology from Council and a retraction of the statement in Newline claiming that almost half of submitters were strongly opposed to the replacement ramp proposal. He advised the Boat Club itself had almost 400 signatures supporting the replacement of the ramp.

4 DECLARATIONS OF INTEREST

Cr Maling clarified his position in relation to the proposed Waimea Community Dam. He advised he was not declaring any interests, as his interest in the project was in common with 37% of the rate payers in the District. He wished to emphasise that he maintained an open mind when considering the project and all related matters now and in the future.

5 LATE ITEMS

Nil.

6 CONFIRMATION OF MINUTES

**Moved Cr Tuffnell/Cr Bryant
CN17-12-1**

That the minutes of the Full Council meeting held on Thursday, 16 November 2017, be confirmed as a true and correct record of the meeting.

CARRIED

7 PRESENTATIONS

7.1 Presentation by Quotable Value Group

Mr Richard Kolff and Ms Gail Smits spoke to the meeting with reference to their Powerpoint presentation.

They explained the process of the rating revaluation, which included a detailed market analysis and property data updates. They advised that the biggest percentage increase in values was in the horticultural sector. They also reported a significant increase in the residential sector capital values. Their analysis showed very strong demand for residential sections in Richmond and it was noted there was also high demand for existing houses, although the ability to supply did not currently meet demand. There had been flat values in the business zone but this has recently seen a slight lift.

Mr Kolff and Ms Smits answered a number of questions of clarification raised by Councillors.

8 REPORTS

8.1 PROPOSED FREEDOM CAMPING 2017

The Regulatory Services Manager reminded Councillors there was a balance between the

statutory rights of freedom campers and those that live in the District. He described the process that led to the current recommendation before Council and explained that any area prohibiting freedom camping had to meet a prescribed standard .

The Regulatory Services Manager acknowledged there were very strong submissions relating to Edward Baigent Memorial Scenic Reserve and confirmed these have been taken into account. Consequently this reserve had been removed from the 'Camping Permitted Schedule' and added to the 'Camping Prohibited Schedule'. For those reserves where freedom camping is to be allowed, he described the measures that are recommended to facilitate that, whilst also mitigating the effects of that activity on the area.

The meeting noted a number of minor amendments that had been made to the proposed Freedom Camping Bylaw, on the recommendation of advice received from Council's lawyers.

It was confirmed that the issues with the Motueka Beach Reserve were taken into account in the hearing process and points of clarification were given by the Regulatory Services Manager on the activities and recommendations that were raised in Public Forum by Mr Maru.

Councillors accepted freedom camping was a live issue and heard that any amendments required at a future date could be accommodated but would require consultation. They noted that, in addition to this Bylaw, Council also had powers under the Trespass Act and the Litter Act but that the primary benefit of a Freedom Camping Bylaw is that it has infringement powers attached to it.

The freedom camping situation at Reilly Street, Takaka was discussed. The Regulatory Services Manager confirmed there were already a number of measures available in that location to control the activity.

The meeting discussed concerns expressed by the Ornithological Society on the protection of birds at the Taupata Gravel Reserve and how these may be addressed on a practical level, through this Bylaw.

An amendment was suggested to the recommended resolution to include Taupata Gravel Reserve in Schedule 1 but the motion was not supported by a seconder.

The start date of the Bylaw was discussed. It was noted that public notice would need to be given and accepted that, although it will become operational, there could be difficulties with immediate enforcement as this will need to be organised and resourced.

**Moved Cr Hawkes/Cr Turley
CN17-12-2**

That the Full Council

- 1. receives the PROPOSED FREEDOM CAMPING 2017 report RCN17-12-01; and**
- 2. Confirms the Minutes from the Hearings held in Takaka, Motueka and Wakefield; and**
- 3. approves the changes to the draft Bylaw presented in REP17-06-01 as indicated in Appendix 1 and additional minor amendments tabled at this meeting, as recorded in the minutes of this meeting;**
- 4. determines that a Bylaw is the most appropriate way of addressing issues relating to freedom camping; and**

5. **determines that the Bylaw is the appropriate form of Bylaw; and**
6. **determines that there are no implications under the New Zealand Bill of Rights Act; and**
7. **agrees to the adoption of the Freedom Camping Bylaw 2017; and**
8. **agrees to revoke the Freedom camping Bylaw 2011 (amended December 2013) and the Freedom Camping (Motueka Beach Reserve) Bylaw 2013;**
9. **agrees that the new Bylaw will come into force on the day following the giving of public notice of the making of the bylaw.**

CARRIED

Council staff were instructed to give priority to the issue of a public notice.

The meeting broke for morning tea at 11.15 am and returned at 11.35 am. Cr Wensley was absent when the meeting reconvened.

Cr Wensley returned to the meeting at 11.45 am.

8.2 Reserve Management Plan amendments to achieve consistency with Freedom Camping Bylaw

The Reserves and Facilities Manager and the Policy Advisor spoke to the report and explained the practicality of applying the amendments to the Reserve Management Plan.

Cr Tuffnell left the meeting at 11.58 am.

Moved Cr Hawkes/Cr Turley CN17-12-3

That the Full Council

1. **receives the Reserve Management Plan amendments to achieve consistency with Freedom Camping Bylaw report RCN17-12-02; and**
2. **approves, pursuant to Section 41 of the Reserves Act 1977, the following amendments to policies under the Decks Reserve section of the Motueka Ward Reserves Management Plan 2001 (pages 43-44 of the 2001 RMP):**
 - **add a new policy, worded as follows: “Policy 6. Overnight camping (i.e. between the hours of 6 p.m. and 7 a.m. every day, except Sunday when the car park must be cleared by 6 a.m.) in either self-contained or non-self-contained vehicles is permitted within the formed car park area of Decks Reserve as defined on Map M1.1. Camping is restricted to a maximum period of two nights in any calendar month or consecutive four-week period. Campers must comply with Council’s Freedom Camping Bylaw and the daytime parking restrictions that apply to this car parking area.”; and**
3. **notes that the new Map M1.1 referred to in resolution 2 above is included as Attachment 1 to this report; and**

4. approves, pursuant to Section 41 of the Reserves Act 1977, the following amendments to policies under the Edward Baigent Reserve section of the Moutere-Waimea Ward Reserves Management Plan 2000 (pages 155-157 of the 2000 RMP):
 - amend Policy 2 to remove reference to camping, by rewording as follows: “Policy 2. Manage the open (non-forest) part of the reserve for informal recreation, including picnicking.”
 - delete Policy 3 (which states “Allow camping in the open (non-forest) part of the reserve, but restrict overnight stays to a maximum of two consecutive nights”) and replace with a new policy worded as follows “Policy 3. Camping is prohibited in all parts of the Reserve, including car parking areas”; and
5. approves pursuant to Section 41 of the Reserves Act 1977, the following amendment to Policy 4 under the Motueka Beach Reserve section of the Motueka Ward Reserves Management Plan 2001 (page 63 of the 2001 RMP):
 - delete existing policy 4 and replace with the following:

“Policy 4. Overnight camping (i.e. between the hours of 6pm and 7am every day) in self-contained vehicles only, is permitted within the formed carpark area of the Motueka Beach Reserve as defined in Map 5.1.

Camping is restricted to a maximum period of two nights in any calendar month or any consecutive four-week period. Campers must comply with Council’s Freedom Camping Bylaw and any parking restrictions that apply to this car parking area”; and
6. notes that the new Map 5.1 referred to in resolution xx above will include the map presented on page 34 of the Draft Freedom Camping Bylaw; and
7. approves a minor amendment to Policy 4.10.2.1 of Council’s Reserves General Policies document, pursuant to Section 41 of the Reserves Act 1977, by rewording this policy to read “Policy 4.10.2.1 Camping may only occur on reserves where provided for in a reserve management plan. Campers must also comply with Council’s Freedom Camping Bylaw.”; and
8. agrees to make the minor amendments to Reserve Management Plans and Reserves General Policies document outlined in resolutions 2, 4, 5 and 6 above, without carrying out the optional public consultation process set out in Section 41 (5) and (6) of the Reserves Act 1977, for the reasons outlined in paragraphs 4.13 – 4.21 of this report; and
9. exercises the delegation from the Minister of Conservation granted to councils on 12 June 2013 to approve the amendments to the Reserve Management Plans and Reserves General Policies document outlined in resolutions 2, 4, 5 and 6 above.

An additional motion was put.

Moved Cr Maling/Cr King
CN17-12-4

That Council approves a budget of \$70,000 for the implementation of the Freedom Camping Bylaw, allocated as follows:

- (a) provision of signage - \$20,000.
- (b) additional enforcement \$40,000.

- (c) **additional temporary facilities \$10,000 – Taupata, Alexander Bluff and Waitapu Bridge.**

CARRIED

8.3 Golden Bay Grandstand

The Chief Executive confirmed there had been further progress since his report and tabled the letter from the GB Grandstand Trust dated 13 December 2017. This had been circulated to Councillors.

As a result of communications with the Trust and the GBSRF, he presented an alternative recommendation to Council. He provided an explanation of how this would work on a practical level whilst also providing as much certainty as is possible at this early stage. The Community Development Manager mentioned there had been no investigation of the suitability of a new site.

The meeting agreed it may be practical for the demolition of the back section and squash club parts of the Grandstand to take place at the same time as any repositioning of the upper part.

There was a request for the stairs to the Grandstand to be reinstated in time for the Golden Bay Agricultural and Pastoral Show. The Chief Executive did not favour that because it was not practical and there was an issue with limiting the number of people accessing the structure, although he was confident that access to the announcers box would be possible.

The Chief Executive hoped the opening of the whole of the GBSRF could be achieved in the near future and confirmed he will initiate the process but could not say what the outcome would be.

Councillors thanked the Chief Executive and his staff for their efforts in achieving a satisfactory result.

Moved Cr Sangster/Cr Brown CN17-12-5

That the Full Council

- 1. receives the Golden Bay Grandstand report RCN17-12-03; and**
- 2. notes that, subsequent to the agenda being published, the Golden Bay Grand Stand Community Trust has written to advise that it is prepared to preserve and restore the upper level of the grandstand on a new ground floor and foundation on a site about 18m south of its current position; and**
- 3. delegates to the Chief Executive the task of working with the Trust (or new entity) to try to reach an agreement on the restoration, preservation and repositioning of the upper level of the grandstand (which will be removed from the existing site) and that such agreement will include details about the various parties' responsibilities, ownership of the materials, who pays for what, and the proposed future relocation site (which may or may not be that proposed by the Trust); and**
- 4. agrees that as part of the demolition work (if feasible and within the previously-agreed budget), the upper level of the grandstand and any salvage materials are to be removed from Council land (and that this may occur ahead of any agreement being concluded with the Trust or other entity); and**

5. agrees that the Council ownership interest in the upper level of grandstand and the materials may be transferred to the Trust or new entity as part of any such agreement; and
6. notes that a budget of \$100,000 has previously been approved for the demolition and can be applied to removing the upper level of the grandstand; and
7. notes if there is no agreement by 2 February 2018 staff by proceed to remove the structure in accordance with the Heritage NZ Archaeological Authority.
8. notes the relocation position will be as requested, subject to completion of any necessary approval processes and the suitability of the site preferred by the Trust.

CARRIED

The meeting broke for lunch at 12.30 pm and Councillors were invited to meet the delegation from Grootegast, the Netherlands. A new 'Friendly Communities Agreement' was signed by the Mayor of Grootegast and Mayor Kempthorne.

The meeting resumed at 1.15 pm

8.4 September 2017 Quarterly Financial Update

**Moved Cr Bryant/Cr McNamara
CN17-12-6**

1. That the Full Council receives the September 2017 Quarterly Financial Update report – including End of Year Forecasts Report (RCN17-12-04).

CARRIED

8.5 Treasury Report

The Finance Manager explained how borrowing opportunities offering favourable rates were routinely sought. Staff balanced the timing of the repayment of those loans against the rates money that would be received.

**Moved Cr Bryant/Cr Ogilvie
CN17-12-7**

That the Full Council receives the Treasury Report RCN17-12-05

CARRIED

8.6 Adoption of Supporting Information, Financial Limits and Confirming Directions for the LTP 2018 - 2028 Consultation Document

The Senior Policy Advisor spoke to this report. He confirmed it represented a consolidation of the views expressed by Councillors in the series of workshops over the course of the year.

Some Councillors considered the discussion on the consideration of community housing was

only brief and lacked detail. They received confirmation that there was some upgrading work programmed to be carried out on the housing in Murchison.

Cr Tuffnell rejoined the meeting at 2 pm.

Moved Cr Ogilvie/Cr Hawkes

CN17-12-8

That the Full Council

- 1. receives the Adoption of Supporting Information, Financial Limits and Confirming Directions for the LTP 2018 - 2028 Consultation Document report RCN17-12-06; and**
- 2. adopts and makes available during the consultation process for the LTP 2018-2028 the Community Outcomes for the LTP 2018-2028 (Attachment One); and**
- 3. notes that the Significance and Engagement Policy requires consultation under the provisions of section 82 on the Local Government Act 2002; and**
- 4. adopts the Draft Significance and Engagement Policy (Attachment Two) for concurrent consultation with the LTP 2018-2028 Consultation Document in March/April 2018; and**
- 5. adopts the following Financial Strategy limits for the development of the LTP 2018-2028:**
 - a. Rates increases are limited to a maximum of 3% per annum, plus an allowance for annual growth in rateable properties; and**
 - b. Net external debt is limited to a maximum of \$200 million; and**
- 6. notes that staff are progressing the development of the Consultation Document and LTP 2018-2028, including projects and budgets based on a number of directions received during the LTP workshops.**

CARRIED

Moved Cr King/Cr Wensley

CN17-12-9

- 7. confirms the following directions for the Consultation Document and LTP 2018-2028:**
 - a. continue to fund the growth related costs of infrastructure through development contributions, utilising multiple catchments with the introduction of lower levels of charges for smaller properties.**

CARRIED

Moved Cr Tuffnell/Cr King

CN17-12-10

- b. retain the existing dividend from community housing to parks and reserves account, with no budget for the development of additional older person housing units.**

CARRIED

Crs Wensley, Ogilvie, Hawkes, Turley and McNamara requested their vote against the motion be recorded.

Cr Maling declared an interest in the Nelson Tasman Business Trust. He sat back from the table and did not take part in any debate or voting on the following item.

Moved Cr Bryant/Cr Sangster

CN17-12-11

- c. funding the Nelson Regional Development Agency (NRDA) at the level of \$300,000 with a further sum of \$100,000 being split to fund the following:**
- Motueka Information Centre \$40,000**
 - Takaka Information Centre \$30,000**
 - Murchison Information Centre \$15,000**
 - Nelson Tasman Business Trust \$15,000**
- these sums being per annum, plus inflation.**

There was a show of hands – 7 for and 6 against, Cr Wensley requested her vote against the motion be recorded.

CARRIED

Moved Cr Canton/Cr Wensley

CN17-12-12

- d. provide funding for the construction of the Motueka Library in Year 3 of the LTP.**
Moved Cr Hawkes/Wensley
- e. extend Richmond Library weekend hours to include Sunday opening.**

Moved Cr Tuffnell/King

CN17-12-13

- f. retain library overdue charges for children's books at their current level.**

CARRIED

Cr Wensley and Brown requested their votes against the motion be recorded.

Moved Cr Canton/Cr Hawkes

CN17-12-14

- g. fund \$150,000 in LTP years 1 and 2 for further study of the issues and options for Motueka flood mitigation with consideration of any required capital budgets will occur in the LTP 2021-2031.**

CARRIED

Moved Cr King/Cr Brown

CN17-12-15

- h. provide a fund of \$10,000 per annum for Golden Bay Community Board Special Projects which will be funded through the Golden Bay Community Board Targeted Rate.**

CARRIED

**Moved Cr King/Cr Sangster
CN17-12-16**

- i. increase funding for the Motueka and Golden Bay Museums by \$15,000 per annum plus inflation each, and the Murchison Museum by \$3,300 per annum plus inflation.**

CARRIED

**Moved Cr Wensley/Cr Maling
CN17-12-17**

- j. retain funding for the Nelson Provincial Museum at the current level plus inflation.**

CARRIED

**Moved Cr Bryant/Mayor Kempthorne
CN17-12-18**

- k. provide improved recycling drop-off services in the Murchison area with some increase in kerbside area coverage.**

CARRIED

**Moved Cr Maling/Cr Canton
CN17-12-19**

- l. provide funding for the completion of Tasman's Great Taste Trail totaling \$2.8 million.**

CARRIED

**Moved Cr King/Cr McNamara
CN17-12-20**

- m. retain Reserve Financial Contributions (RFC's) until Council is no longer able to collect reserve financial contributions (April 2022). As a replacement for the RFC's, amend Council's Development Contributions Policy from 2021 to enable the collection of development contributions for the growth component of parks and reserves.**

CARRIED

Moved Mayor Kempthorne/Cr Tuffnell

CN17-12-21

- n. **plan growth using high population growth scenario for Richmond, Mapua, Motueka, Wakefield and Brightwater, with medium growth for the remaining District areas.**

CARRIED

Moved Cr Bryant/Cr Brown

CN17-12-22

- o. **provide capital and operating budgets for water supply, stormwater and wastewater to enable regulatory requirements and levels of service to be achieved.**

CARRIED

Moved Mayor Kempthorne/Cr Maling

CN17-12-23

- p. **that the capital programme be generally as set out in the graphs and charts distributed to Councillors on 22 November 2017 and attached to the minutes of this meeting.**

CARRIED

8.7 Rates Remissions & Other Rating Policies

The Finance Manager, with the assistance of the Revenue Accountant and the Corporate Services Manager, spoke to this report. He referred to plans to sell abandoned land and how this was reflected in the recommendation. He responded to a number of questions of clarification.

Moved Cr Sangster/Cr Brown

CN17-12-24

That the Full Council

1. **receives the Rates Remissions & Other Rating Policies report RCN17-12-07; and**
2. **adopts the following policies contained in Attachment 2 to this report, for public consultation in accordance with section 82 of the LGA:**
 - **Policy on the Remission and Postponement of Rates on Māori Freehold Land;**
 - **Policy on Remission of Rates for Land Subject to Council Initiated Zone Changes**
 - **Policy on Remission of Rates for Sporting, Recreation or Community Organisations**
 - **Policy on Remission of Uniform Charges on Non-Contiguous Rating Units Owned by the Same Ratepayer**
 - **Policy on Remission of Rates on Low Valued Properties**
 - **Policy on Remission of Rates for School Wastewater Charges**

- **Policy on Remission of Rates for Land Occupied by a Dwelling that is Affected by Natural Disaster**
 - **Policy on Remission of Penalties**
 - **Policy on Remission of Rates on Abandoned Land**
 - **Policy on Remission of Excess Metered Water Rates**
3. **notes that the consultation on the Rates Remissions and Other Rating Policies will run concurrently with the consultation on the LTP Consultation Document; and**
 4. **proposes to revoke the Policy For Early Payment of Rates In the Current Financial Year pursuant of section 55 of the Local Government (Rating) Act 2002; and**
 5. **notes that the special consultative procedure to revoke the Policy For Early Payment of Rates In the Current Financial Year will be carried out through the proposal's inclusion in the LTP Consultation Document.**

CARRIED

Cr King left the meeting at 2.20 pm.

8.8 Digital and Online Services Business Case

The Information Services Manager, Business Systems Analyst and Online Services Architect responded to questions of clarification on the identified risks and how those were to be mitigated.

**Moved Cr Wensley/Mayor Kempthorne
CN17-12-25**

That the Full Council

1. **receives the Digital and Online Services Business Case report RCN17-12-08; and**
2. **approves the recommended approach of Option Three, a measured approach using iterative feedback; and**
3. **approves the requested funding being included in the draft budgets for the Long Term Plan 2018-2028.**

CARRIED

Cr King returned to the meeting at 2.34 pm.

8.9 Public Transport Service Review

The Activity Planning Advisor spoke to his report and signalled that Council should be aware of the Government statement on transport is imminent. He confirmed there would be some flexibility to work with recommendations of Central Government.

**Moved Cr Bryant/Cr Wensley
CN17-12-26**

That Council

1. receives the Public Transport Service Review report RCN17-12-09; and
 2. agrees that a new Richmond bus service be included in the draft Long Term Plan 2018-2028 and Regional Land Transport Plan 2018 for consultation, as recommended by the Tasman Regional Transport Committee.
-

CARRIED

8.13 Richmond and Motueka Town Centre Parking Strategy

The Activity Planning Manager answered questions of clarification and noted suggestions for enhancement of the consultation.

**Moved Cr McNamara/Canton
CN17-12-27**

That the Full Council

1. receives the Richmond and Motueka Town Centre Parking Strategy report, RCN17-12-13; and
2. approves the draft Richmond and Motueka Town Centre Parking Strategy for public consultation (Attachment 1); and
3. appoints Councillor Bryant as Chair, and Councillors Wensley and Hawkes to:
 - a) approve any minor edits to the draft Richmond and Motueka Town Centre Parking Strategy before it is released for public consultation; and
 - b) hear and deliberate on public submissions to the Richmond and Motueka Town Centre Parking Strategy and make recommendations back to the Full Council.

8.10 Nelson-Tasman Regional Landfill Business Unit - Draft Business Plan

The Engineering Services Manager spoke to this report and referred to the request that had been made Nelson City Council which had been agreed last week.

**Moved Cr Greening/Cr Tuffnell
CN17-12-28**

That the Full Council

- (a) receives the report Nelson-Tasman Regional Landfill Business Unit – Draft Business Plan, RCN17-12-10.
- (b) notes that Nelson-Tasman Regional Landfill Business Unit Joint Committee resolved to amend the Draft Business Plan 2018/2019 to include the increase in the local disposal levy to the value of \$2.2 million for each Council and the increase in the landfill base gate charge to \$141 per tonne.

CARRIED

8.11 Dovedale Water Supply - Renewals Funding

The Utilities Manager - Water spoke to the report and explained the implication of the recommendation on water supply charges. He confirmed that, per property, this would amount to only a small increase.

Cr Wensley and Cr Canton left the meeting at 2.45 pm.

Moved Cr McNamara/Cr King

CN17-12-29

That the Full Council

- 1. receives the Dovedale Water Supply - Renewals Funding report, RCN17-12-11; and**
- 2. approves funding of \$75,000 to replace the Silcocks Reservoir in the Dovedale Water Supply Scheme; and**
- 3. approves bringing forward \$20,000 from the 2018/19 Dovedale pipe renewal budget to renew the Kelling Road, Dovedale water supply pipeline.**

CARRIED

8.12 Policy on Elected Members' Allowances and Recovery of Expenses

Moved Cr Maling/Cr Brown

CN17-12-30

That the Full Council

- 1. receives the Policy on Elected Members' Allowances and Recovery of Expenses report RCN17-12-12; and**
- 2. approves the changes made to the Council Policy on Elected Members' Allowances and Recovery of Expenses, as per the Remuneration Authority Determination 2017**

CARRIED

8.14 Access Restriction - Ken Beck Road, Moturoa/Rabbit Island

Moved Cr King/Cr Bryant

CN17-12-31

That the Full Council

- 1. receives the Access Restriction - Ken Beck Road, Moturoa/Rabbit Island report RCN17-12-14; and**
- 2. approves the update of Schedule 7 Regulations, Section (1) of the Traffic Control Bylaw 2016 to provide for restricting unauthorised vehicles onto Moturoa/Rabbit Island;**
- 3. agrees that the new restriction, applying during the hours of darkness to dawn, will be added to the Traffic Control Devices Register and will be effective from 20 December 2017; and**

4. **agrees to notify the public of the new movement restrictions in Council's Newsline as well as on the Council's website.**

CARRIED

Cr Canton returned to the meeting at 2.55 pm.

Cr Wensley returned to the meeting at 3 pm.

8.15 Nelson City Council request for Opera in the Park funding contribution

The Community Development Manager explained that there were additional costs for staging the event at Saxton Field. The level of funding is less than originally requested by Nelson City and to reflect this, the recommendation includes a contribution for promotional expenses.

There was mixed support for funding a contribution of \$10,000. Reference was made to Council's recent decision to financially support the upcoming All Blacks test hosted at Trafalgar Park in Nelson. Despite this, Councillors could see the community benefit of having the event at Saxton Field and recognised the parking would be far easier for those attending.

The Community Development Manager confirmed the contribution would be allocated from an existing, 'carried forward' budget.

An alternative motion was put, excluding the contribution of \$10,000.

Moved Cr McNamara/Cr Greening

'That the Full Council

1. receives the Nelson City Council request for Opera in the Park funding contribution report RCN17-12-15; and
2. Council supports the promotion of Opera in the Park with staff resources and existing budget to ensure awareness of the change of venue.'

LOST

**Moved Cr Maling /Mayor Kempthorne
CN17-12-32**

That the Full Council

1. **receives the Nelson City Council request for Opera in the Park funding contribution report RCN17-12-15; and**
2. **Council supports the promotion of Opera in the Park with staff resources and existing budget to ensure awareness of the change of venue.**
3. **Council allocates a contribution of \$10,000 to Nelson City Council for Opera in the Park 2018.**

CARRIED

Cr McNamara wished to have his vote against the motion recorded.

The meeting broke for afternoon tea at 3.07 pm and resumed at 3.23 pm

Moved Cr Wensley/Cr Turley
CN17-12-33

That the meeting be extended until such time as all matters for consideration on the agenda have been dealt with.

CARRIED

8.16 Mayor's and Chief Executive's Activity Report

Moved Cr King/Cr Ogilvie
CN17-12-34

That the Full Council

1. receives the Mayor's and Chief Executive's Activity Report report RCN17-12-16; and
2. approves the removal of the Rural 1 deferred Light Industrial zone status over part of the following land at 28 Appleby Highway, Richmond, legally described as Pt Section 108 Waimea East District CT NL3A/247, for the portion shown on the map contained in Report RCN17-12-16 and that lands' rezoning in accordance with the following update to Schedule 17.14A, including consequential changes to the planning maps, pursuant to Rule 17.14.2(b)(viii) 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 |
|--|--|---|--|--|---|--|
| Richmond West Development Area: Areas notated F (part), 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 |
| <u>Richmond West Development Area notated F (part), at 28 Appleby Highway, Pt Section 108 Waimea East District</u> | <u>Rural 1</u> | <u>Area F: Stormwater service required</u> | <u>14 Dec 2017</u> | <u>Pt Section 108 Waimea East District (part of title only)</u> | <u>6906/1, 2 sheets</u> | <u>Light Industrial</u> |

3. **approves unbudgeted expenditure of up to \$17,500 plus GST for a Golden Bay Community Board By-Election;**
4. **appoints Richard Kirby, Engineering Services Manager to replace Mike Drummond, Corporate Services Manager, as an alternate Acting Chief Executive Officer should Dennis Bush-King, Environment and Policy Manager, be unavailable or out of the District; and**
5. **amends the Fees and Charges Schedule to permit the Motueka Memorial Hall crockery and cutlery hire charge to be waived for all community organisations hiring the hall; and**
6. **expresses its appreciation for the work done by all of the staff involved with preparing the Annual Report 2016/2017 and assisting the Audit and Risk Committee, Auditors, Council and Tasman community; and**
7. **notes the Council Action Sheet.**

CARRIED

**Moved Mayor Kempthorne/Cr Canton
CN17-12-35**

Cr Tuffnell be appointed as Cr King's replacement as the Council's representative on the Saxton Field Joint Committee.

CARRIED

The meeting discussed the consultation process for the proposed Waimea Community Dam. It was suggested that deliberations be deferred until six weeks after the release of the Waimea Irrigators Limited (WIL) Product Disclosure Statement.

The Chief Executive recommended any deferment should be after Council's deliberations have taken place, recognising that WIL's position is critical to the success of the project. He also recommended deliberations should be held publicly and confirmed this would not prevent the meeting moving into committee should Council need to do so where the prescribed reasons under the Local Government Official Information and Meetings Act 1987 (LGOIMA) applied.

The meeting discussed the process and form of the deliberations hearings on 1, 2 and 7 February 2018. The Chief Executive confirmed there will be a report that distils the issues from the submissions hearings through to a report that will be presented at the deliberations stage.

Moved Cr Greening/Cr McNamara

'That Council deliberations occur on the proposed Waimea Community Dam submissions six weeks after the release of the Waimea Irrigators Limited (WIL) Product Disclosure Statement.'

There was a show of hands - four in favour and seven against.

LOST

Moved Mayor Kempthorne/Cr Bryant

CN17-12-36

That Council confirms the schedule for the proposed Waimea Community Dam deliberations on 1, 2 and 7 February 2018.

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

Moved Cr Hawkes/Cr Sangster
CN17-12-37

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 Appointing a Preferred Contractor to Construct the Waimea Community Dam

| 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 |
|---|--|--|
| <p>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.</p> | <p>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.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations</p> | <p>s48(1)(a)</p> <p>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.</p> |

| | | |
|--|---|--|
| | (including commercial and industrial negotiations). | |
|--|---|--|

9.3 Howard Forestry Right

| 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 public at 4.48 pm

8.17 Schedule of Meetings 2018

**Moved Cr Bryant/Cr Wensley
CN17-12-38**

That the Full Council

1. notes the on-line Calendar of Council meetings provides up to date notification of Council meetings for 2018; and
2. receives the Schedule of Meetings 2018 for information.

CARRIED

8.18 Machinery Resolutions Report

**Moved Cr Brown/Cr Tuffnell
CN17-12-39**

That the Tasman District Council

1. receives the Machinery Resolutions report and that the execution of the following documents under the Seal of Council be confirmed:

Deed of Renewal and variation of Lease – Nelson Tasman Free Kindergarten Assn (Inc.) for Pinegrove Kindergarten – The lease of Waimea Plains (Pinegrove) Kindergarten expired on 30 June 2017. The lease allowed for one right of renewal for a further 20 years to 30 June 2037. Rent has been Varied from \$100pa to \$200pa.

Surrender of Lease and Deed of Lease – Nelson Tasman Air Limited – Hangar Lease at Motueka Aerodrome Horizon Helicopters is surrendering its lease for the Hangar. Please see signing instructions form Fletcher Vauiter Moore.

Easement in Gross –Harley RD Holdings – RM130777

Easement in Gross – Arizona – RM160629

Variation of Lease – Argus Trust – Motueka Aerodrome – Deed recording variation to conditions of lease.

Deed – Myttons – Uplift deferment over Myttons property to allow subdivision.

Assignment of Lease – Oxford Street Plunket - Royal NZ Plunket Trust – Technical Change of lease only, still a Plunket Clinic.

CARRIED

The recommendation in the Mayor's and Chief Executive's Joint Activity Report that was reliant upon the outcome of earlier in committee discussions (Howard Forestry Right), was revisited and the motion put.

**Moved Cr Bryant/Cr Canton
CN17-12-40**

That Council authorises the Chief Executive to conclude an agreement on the purchase of the joint venture partner's 80% interest in the Howard Forest Joint Venture on the terms recommended by the Commercial Committee and confirmed by Council.

CARRIED

The meeting concluded at 4.52 pm.

Date Confirmed:

Chair: