
MINUTES
of the
FULL COUNCIL MEETING
held
9:30 am, Thursday, 8 April 2021
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Mayor T King, Councillors S Bryant, C Butler (via Zoom), B Dowler, C Hill, K Maling (via Zoom), C Mackenzie, D McNamara, D Ogilvie, T Tuffnell, A Turley, T Walker and D Wensley (via Zoom)

In Attendance: Chief Executive (J Dowding), Executive Assistant to the Mayor (R Scherer), Community Development Manager (S Edwards), Corporate and Governance Services Manager (M Drummond), Engineering Services Manager (R Kirby) and Environment and Planning Manager (D Bush-King)

Part Attendance: Wastewater Engineer (J Westbury), Water Engineer (B Marsay), Team Leader – Water and Wastewater (D Burn), Programme Delivery Manager (R McGuigan), Finance Manager (M McGlinchey), Transportation Manager (J McPherson) and Technical Officer - Transportation (M Bell)

1 OPENING, WELCOME

Mayor King welcomed everyone to the meeting and opened proceedings with a karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Deputy Mayor Bryant/Cr Turley

CN21-04-1

That apologies from Cr Greening and for lateness from Cr Maling be accepted.

CARRIED

Cr Bryant noted his concern that Cr Greening continually tenders apologies for his attendance at Council meetings. Mayor King said that he will discuss this concern with Cr Greening.

3 PUBLIC FORUM

Mik Symmons (via Zoom) spoke about the Hamama Water Supply Scheme referendum. He noted that the local community have been involved and paid for this water supply over time and have managed it over the last 40 years.

Mr Symmons said that, in his opinion, some incorrect information had been included in the report. He spoke about the closed account and noted that funds had been accumulated to cover unseen events and maintenance of the scheme. He said that the Hamama residents were concerned about the costs for the proposed referendum which equates to over \$300 per scheme member and suggested that with the closed account there is no impact on anyone other than those ratepayers who use the scheme. Mr Symmons said that the report was the first time that the scheme users had heard about the proposed Special Consultative Procedure and the required amendments to the Council's Revenue and Financing policy. He said that costs had been included in the report that were not discussed when this process was initiated in 2018. He suggested that the Council staff should look at the agreements noted in the 2018 report to the Engineering Services Committee.

Richard Johns spoke about the Waimea Community Dam and central government's decision to decline funding for the project. He suggested that the Council may not be able to afford to complete the dam and asked at what stage the Council would do something about making that decision.

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

Nil

6 CONFIRMATION OF MINUTES

Moved Cr Tuffnell/Cr Mackenzie

CN21-04-2

That the minutes of the Full Council meeting held on Thursday 25 March 2021 be confirmed as a true and correct record of the meeting.

CARRIED

Moved Cr Dowler/Cr Walker

CN21-04-3

That the minutes of the Full Council meeting held on Thursday, 18 March 2021, be confirmed as a true and correct record of the meeting.

CARRIED

Cr McNamara asked that his vote against accepting both sets of minutes be recorded in today's minutes.

7 PRESENTATIONS

7.1 Golden Bay Marine Enhancement Group

Neil Wilson and Gordon Mather provided a powerpoint presentation. They spoke about the present state of the local marine environment and suggested that the environment was severely degrading with previous abundant species now absent or in very low numbers.

Mr Wilson suggested that the accumulation of fine sediment from land runoff is higher than anyone knows. This accumulation has a smothering effect and the resulting toxic sludge is impacting on marine environments. Mr Wilson referred to the fragile marine environment around Separation Point and suggested that boaties should not be allowed to anchor their boats in this area.

Mr Mather asked the Council for their support for stronger protection of the marine environment. He suggested that there is a considerable lack of knowledge about our current marine resources and that means the marine environment cannot be managed appropriately. He proposed that the Council could do an inventory of the marine environment listing significant ecosystems and what treatment is required to protect them. He noted that Manawhenua ki Mohua support the marine enhancement group's aims. He also suggested that the Council should engage with the community to make them aware of the issue and to help promote a sense of public guardianship.

Mr Mather and Mr Wilson tabled their presentation and invited the Councillors to see examples of their work in Golden Bay.

Several Councillors thanked Mr Mather and Mr Wilson for their thoughts on how the Council can be involved in protecting the marine environment. It was agreed that staff should provide a report to the Regulatory Committee focusing on how the Council may support the group's aims.

8 REPORTS

8.1 Hamama Water Supply Referendum

Water Engineer, Becky Marsay and Engineering Services Manager, Richard Kirby presented the report which was taken as read.

In response to a question, Ms Marsay said that she was not aware of the issues raised in the public forum by Mr Symmons. Mr Kirby noted that the referendum is a proposal at this stage and staff will consider the issues raised by Mr Symmons. He confirmed that the Council will still be required to follow the special consultative procedure process.

Mr Kirby said that the Local Government Act requires the Council to carry out a referendum with the Council's electoral officer managing the process.

Several Councillors raised their concern about the costs of the referendum and the special consultative procedure. In response, Mr Kirby said that the referendum and special consultative procedure could be funded from the general rate if that is what the Council wants.

After some discussion it was agreed to amend the resolution to note the concerns raised by Mr Symmons.

Moved Deputy Mayor Bryant/Cr Hill

CN21-04-4

That the Full Council:

1. receives the Hamama Water Supply Referendum report, RCN21-04-2; and

2. **approves proceeding with undertaking a binding referendum to transfer ownership and management of the Hamama Water Supply to the Hamama Water Supply Incorporated Society; and**
3. **subject to a successful outcome of the referendum, the Council considers undertaking a special consultative procedure on rating users on the Hamama Water Supply Scheme; and**
4. **notes that rating could only cease from 1 July 2022 because of the timing required to undertake the binding referendum and the special consultative procedure; and**
5. **note the concerns raised by Mr Symmons on behalf of the Hamama Water Supply Committee including costs relating to the referendum and the special consultative procedure; and**
6. **instructs staff to have further conversations with the Hamama Water Supply Committee.**

CARRIED

8.2 Motueka Wastewater Treatment Plant - Request for Additional Funding

Wastewater Engineer, Juliet Westbury and Mr Kirby presented the report which was taken as read.

In response to a question, Mr Kirby confirmed that the funding in the draft Long Term Plan for this capital works will be transferred to the NRSBU in year two of the Long Term Plan. Dean –

Ms Westbury confirmed that the new liner is a proven technology that will manage the wastewater velocities.

Moved Cr Tuffnell/Cr Dowler

CN21-04-5

That the Full Council:

1. **receives the Motueka Wastewater Treatment Plant - Request for Additional Funding report, RCN21-04-3; and**
2. **approves the use of Nelson Regional Sewerage Business Unit (NRSBU) capital budget underspend in 2020/2021 to fund the membrane renewal and aeration basin relining for the Motueka Wastewater Treatment Plant at a total cost of \$892,000; and**
3. **notes that the \$380,000 shortfall from the NRSBU budgets will be reviewed in the next two years as and when the NRSBU schedule the respective capital investment.**

CARRIED

8.3 Traffic Control Devices Bylaw - Proposed Control Changes

Technical Officer – Transportation, Megan Bell and Transportation Manager, Jamie McPherson presented the report which was taken as read.

In response to a question about the no parking controls on Waitapu Road, Ms Bell said that she had spoken to the owners of the shop in this area and they were happy with the change.

Moved Deputy Mayor Bryant/Cr Hill

CN21-04-6

That the Full Council:

1. receives the Traffic Control Devices Bylaw - Proposed Control Changes report RCN21-04-4; and
2. approves the following changes to the Traffic Control Devices Register under the Traffic Control Bylaw, with effect from 8 May 2020.

Street name	Primary Restriction	Start NZTM X	Start NZTM Y	End NZTM X	End NZTM Y
Edward Street	No Parking	1616135.94	5423280.57	1616147.59	5423290.42
Coleman Street	No Parking	1614861.98	5423298.96	1614863.85	5423310.53
Lower Queen Street	No Parking	1614826.14	5424325.46	1614860.18	5424285.60
Tasman District Council Private Carpark	Council Staff Only Parking -Mon-Fri 7.30am - 5.00pm	1615631.75	5423249.61	1615644.44	5423261.26
Tasman District Council Private Carpark	Council Staff Only Parking -Mon-Fri 7.30am - 5.00pm	1615601.74	5423215.72	1615628.32	5423237.82
Tasman District Council Private Carpark	Council Staff Only Parking -Mon-Fri 7.30am - 5.00pm	1615608.01	5423208.11	1615633.54	5423229.01
Tasman District Council Private Carpark	Council Staff Only Parking -Mon-Fri 7.30am - 5.00pm	1615612.49	5423203.03	1615636.68	5423224.98
Tasman District Council Private Carpark	Armadillos Staff Only Parking - Mon-Fri 7.30am - 5.00pm	1615628.32	5423237.82	1615630.70	5423239.76

Tasman District Council Private Carpark	Armadillos Staff Only Parking - Mon-Fri 7.30am - 5.00pm	1615636.68	5423224.98	1615638.92	5423226.77
Tasman District Council Private Carpark	Armadillos Staff Only Parking - Mon-Fri 7.30am - 5.00pm	1615639.96	5423240.21	1615646.38	5423232.59
Tasman District Council Private Carpark	No Parking	1615599.20	5423182.28	1615645.04	5423221.25
Appleby Highway Underpass	No Parking	1613902.81	5423003.35	1613969.54	5422959.61
Appleby Highway Underpass	No Parking	1613962.97	5422982.30	1613955.95	5422989.32
Appleby Highway Underpass	No Parking	1613887.73	5423070.98	1613913.70	5423040.97
Appleby Highway Underpass	No Parking	1613874.14	5423037.54	1613821.74	5423145.77
Appleby Highway Underpass	Give Way to Cyclists Control	1613908.33	5423042.02		
Appleby Highway Underpass	Give Way to Cyclists Control	1613901.31	1613901.31		
Appleby Highway Underpass	Stop Control	1613896.24	5423050.08		
Wensley Road	No Parking	1615123.31	5422687.31	1615130.48	5422693.44
Fairose Drive	No Parking	1615015.10	5422074.66	1615025.85	5422070.48

Fairose Drive	No Parking	1615029.59	5422064.66	1615031.53	5422055.40
Sundial Square	P5 Loading Zone Restriction Goods Vehicle Only	1615472.43	5423634.98	1615477.91	5423639.35
Dorset Street	No Parking	1615339.93	5423272.99	1615343.18	5423268.07
Atkins Street	No Parking	1600223.63	5449007.77	1600235.27	5449002.32
Pah Street	No Parking	1600242.36	5449003.96	1600251.69	5449007.40
Pah Street	No Parking	1600866.85	5449030.91	1600875.73	5449030.80
Robinson Road	No Parking	1599804	5444566	1599655	5444316
Robinson Road	No Parking	1599781	5444568	1599661	5444325
High Street	P10 Restricted Parking	1600935.80	5449131.74	1600935.65	5449125.77
Bloomfield Place	Stop Control	1601850.96	5448936.57		
Wilson Crescent	Stop Control	1601845.88	5448918.95		
Old Wharf Road	No Parking	1601589.09	5447417.69	1601655.67	5447416.49
Rowling Road	No Parking	1601668.83	5456374.99	1601672.41	5456347.07
Rowling Road	No Parking	1601601.62	5456448.56	1601667.30	5456350.48
Whitby Road	No Parking	1604011.62	5416356.10	1604044.61	5416346.99
Whitby Road	No Parking	1604015.80	5416368.04	1604044.31	5416360.58
Whitby Road	No Parking	1603933.24	5416367.60	1603970.86	5416366.10

Waitapu Road	No Parking	1583732.48	5478122.45	1583735.91	5478118.98
Commercial Street	No Parking	1583686.72	5477026.16	1583685.67	5477015.41
Willow Street Carpark	EV Charging Station	1583665.89	5476554.29	1583667.13	5476552.24
Mapua Drive	Shared Path	1606023	5433249	1606597	5433401
Stafford Drive	Shared Path	1607332	5435090		
Aranui Road	Shared Path			1607609	5433744
Seaton Valley Road	Shared Path	1605323	5434356	1607072	5433842
Chaytor Road	Shared Path	1604674	5434220		
Gardner Valley Road	Shared Path			1604573	5434128
Tadmor Valley Road	Shared Path	1584469	5418238	1584128	5418024

CARRIED

8.4 February 2021 Quarterly Financial Update

Finance Manager, Matt McGlinchey and Corporate and Governance Services Manager, Mike Drummond presented the report which was taken as read.

In response to a question about the forecast shortfall in capital expenditure, Mr Kirby said that some of the projects were being held up waiting for resource consent approval. He also noted that the Council has had issues with engaging design consultants to work on the water treatment plant projects, adding to the delays in the projects being completed.

In response to a question, Mr Drummond said that the Council's policy approach around managing surpluses is included in the financial strategy and treasury policy. If project work will be carried out in the following financial year, staff retain the funding in its nominated activity.

Community Services Manager, Susan Edwards noted that the reforecast of expenditure in Community Services related to:

- timing of payment for the work at the new Motueka Library;
- the carry forward of funding for the car parking and drainage to complete the Golden Bay Recreation Centre; and
- a delay in land purchase affecting the Reserves Financial Contributions expenditure budget.

In response to a question, Mr Drummond said that the relocation of the kitchen in the civic area

was carried out in a cost-efficient way dovetailing with the earthquake strengthening work which was being done at the time.

Moved Cr Mackenzie/Cr Hill

CN21-04-7

That the Full Council receives the February 2021 Quarterly Financial Update report, RCN21-04-5.

CARRIED

The meeting adjourned at 10.50 am and resumed at 11.03 am.

8.5 Treasury Report

Mr Drummond and Mr McGlinchey presented the report which was taken as read.

In response to a question, Mr Drummond said that funding for the cost overruns for the Waimea Community Dam will be progressively drawn down from the \$18 million CIIL loan facility from August 2021 through to September-October 2022.

Cr Hill returned to the meeting at 11.07 am.

Responding to a question, Mr Drummond said that the Emissions Trading Scheme (ETS) is reported on because it is covered by the Council's Treasury Policy which requires us to report even when the Council has no exposure under the ETS. He said that he would amend the commentary to reflect the Council's non-exposure in the future.

In response to a question, Mr Drummond said that the Council receives a weekly market update from the Local Government Funding Agency. Staff monitor and act accordingly on this update which forms part of our planning and treasury management, including managing our risk profile.

Moved Cr Mackenzie/Cr Hill

CN21-04-8

That the Full Council receives the Treasury Report RCN21-04-6.

CARRIED

8.6 Local Government Funding Agency draft Statement of Intent 2021/22 and Half-Year Report to 31 December 2020

Mr Drummond presented the report which was taken as read.

Moved Cr Mackenzie/Deputy Mayor Bryant

CN21-04-9

That the Full Council

- 1. receives the Local Government Funding Agency draft Statement of Intent 2021/22 and Half-Year Report to 31 December 2020 report RCN21-04-7; and**
- 2. receives the Local Government Funding Agency Statement of Intent 2021/22 (Attachment 4); and**

3. **agrees to the Statement of Intent and acknowledges that the Local Government Funding Agency Shareholders' Council will provide feedback (if any) on the draft Statement of Intent on behalf of Shareholding Councils; and**
4. **notes the receipt of the Local Government Funding Agency Half-Year results in accordance with the companies Statement of Intent.**

CARRIED

8.7 Chief Executive's Update

Chief Executive, Janine Dowding spoke to the report contained in the agenda which was taken as read.

In response to a question, Ms Dowding said that the new positions being advertised in the information technology team were the result of the Council's support of the reorganisation in the Chief Information Officer's department.

Referring to a question about the digital technology in the Council Chamber, Ms Dowding said she will speak to staff about utilising the roving camera.

In response to a question about the Māori Liaison Officer vacancy, Environment & Planning Manager said that this role was a fixed term contract working with iwi on the Jobs for Nature projects.

Mr Drummond noted that the Property Officer role is a new position that had previously been a fixed term position. The new role will manage the growing workload within the Property Services team.

Ms Dowding noted that the Council is currently experiencing a higher staff turnover than normal. She said that many government departments have an increasing appetite to have their staff based in the provinces, working remotely. This has resulted in some of our staff moving to government department jobs which offer both better remuneration and benefits. It also affects how the Council can attract job applicants.

Moved Cr Walker/Cr Hill

CN21-04-10

That the Full Council:

1. **receives the Chief Executive's Update report, RCN21-04-8; and**
2. **supports the application for funding to the Rata Foundation for the amount of \$80,000 to support construction of the Motueka Skatepark during the 2021/2022 financial year, in addition to the Council and Motueka Community Board funding towards the total project cost estimated at \$255,000; and**
3. **notes the Council Action Sheet.**

CARRIED

8.8 Mayor's Update

Mayor Tim King spoke to his update report which was taken as read.

He spoke about the draft Long Term Plan consultation meetings which had started on 25 March. He noted that the consultation meetings had focused on a range of topics including growth in

the District and the resultant need for housing, climate change, public transport, active transport, rates and debt as well as the cost overruns for the Waimea Community Dam project.

Moved Mayor King/Cr Turley

CN21-04-11

That the Full Council receives the Mayor's Update RCN21-04-9.

CARRIED

8.9 Machinery Resolutions Report

The report was taken as read.

Responding to a question, Mr Kirby said that covenants to permit water tanks on road reserve were not uncommon. Some encroachment on to road reserve results from the roads only being an unformed paper road.

Moved Cr McNamara/Cr Hill

CN21-04-12

That the Tasman District Council

- 1. receives the Machinery Resolutions report, RCN21-04-10 and that the execution of the following documents under the Seal of Council be confirmed:**
 - a) Deed of Covenant – Heather and Tre Sylvawood – Deed of Covenant to permit two water tanks to remain on legal road for a term of 20 years with an annual charge.**
 - b) Deed of Lease – Angus and Moore Limited – Mark Stagg and Ross Moore 41111L27 – 1012M² Ground Lease at Motueka Aerodrome on which 729m² hangar is to be constructed. Lease commencement 1 August 2021, 20 year term with three renewals to a total of 49 years. Expiry 31 July 2070. Three yearly rent reviews.**
 - c) Deed – Lease Variation – Coman Construction Limited – Extension of Elms Street storage – 5 years.**
 - d) Deed of Lease - Vodafone New Zealand Limited – Telecommunication Site Lease, located in Kingsland Forest, Richmond. 306m². Current Lease expires 31 August 2021. New Lease negotiated and commences 1 September 2021 for 35 years less one day with yearly CPI rent reviews.**

CARRIED

8.10 Waimea Water Limited - Draft Statement of Intent 2021-2022 report

Mr Drummond presented the report which was taken as read. He noted that the Waimea Water Ltd Draft Statement of Intent follows closely the Statement of Intent (SOI) that the Council agreed to last year and includes updated financials to reflect the new cost to complete estimates. He said that the Waimea Irrigators Ltd Board had considered the SOI and there were no matters to bring to the Council's attention.

Responding to a question about quantifiable performance measures that would help keep the

community informed, Mr Drummond said he would discuss this issue with Waimea Water Ltd and any change would be reported back to the Council through the final SOI.

It was noted that the entity and stakeholder information within the SOI is out of date and includes reference to the Nelson City Council. Mr Drummond agreed that this information should not be included in the SOI until Nelson City Council provide their share of the funding and the draft resolution was amended to reflect that.

Moved Cr Tuffnell/Cr Mackenzie

CN21-04-13

That the Full Council:

- 1. receives the Waimea Water Limited - Draft Statement of Intent 2021-2022 report RCN21-04-11; and**
- 2. provides the following comments and feedback to the Waimea Water Ltd Board –**
 - a. requests that the Board consider their stakeholder engagement plan in terms of keeping the community informed and linking the plan to the performance targets within the statement of intent; and**
 - b. requests that the Board update the entity stakeholder information to reflect current circumstances.**

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

Moved Cr Hill/Cr Walker

CN21-04-14

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 Waimea Community Dam - Nelson City Council Funding Agreement

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.	48(1)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision. 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.

9.3 Waimea Community Dam - Project Update Report

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.	<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)(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).</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>

9.4 Motueka Service Centre report

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.	<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 (including commercial and industrial 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>

CARRIED

The meeting concluded at 1.16 pm.

Date Confirmed:

Chair: