
MINUTES
of the
FULL COUNCIL MEETING
held
9.30 am, Thursday, 22 February 2018
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 (by Audio Link – Takaka Service Centre)
- 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)
- Part Attendance:** Engineering Services Manager (R Kirby), Principal Legal Advisor (S Taylor), Strategic Policy Manager (S Flood), Finance Manager (R Holden), Revenue Accountant, (K Kivimaa-Schouten), Online Communications Officer (B Catley), Utilities Manager (M Schruer), Senior Policy Advisor (A Bywater), Policy Officer (S Hartley), Policy Advisor (A Gerraty), Activity Planning Manager (D Fletcher), Senior Policy Advisor (B Wayman), Transportation Manager (J McPherson), Technical Officer – Transportation (K Hobday), Information Services Manager (P Darlington), Programme Delivery Manager (R McGuigan), Administration Assistant - Governance (R Williams), Human Resources Manager (J Cranness), Interim Project Director – Waimea Water (A Nelson)

1 OPENING, WELCOME

The Mayor opened the meeting and explained that Cr Sangster was currently sited at the Takaka Service Centre, since there was no vehicular access through from Golden Bay following the recent storm event. Consequently, he had approved Cr Sangster's attendance at this meeting via audio-link, in accordance with Standing Order 12.11.

During the course of the meeting Cr Sangster was able to take an active part in discussions and voting via audio-link. Documents and amendments tabled were read out to Cr Sangster and/or copies of relevant documents were e-mailed to him contemporaneously by the Committee Advisor.

2 APOLOGIES AND LEAVE OF ABSENCE

Nil.

3 PUBLIC FORUM

Mr Devon Gallagher

Mr Gallagher from Ruby Bay spoke about the Tate Subdivision and the legacy issues that needed to be resolved. He referred to the draft Coastal Activity Management Plan (CAMP) and spoke about coastal structures that he considered should be there to deal with a consistent hazard. He considered the Broadsea Wall was not a sufficient coastal defence and needs to be reconstructed. He expressed a hope that landowners and Council can combine resources to protect common and individual assets around Ruby Bay. He called for an expansion of the CAMP to reflect this.

Mr Murray Dawson

Mr Dawson acknowledged that the Council and particularly the Mayor had been busy over the last few weeks with the recent storm events and Civil Defence operations.

He referred to the comments made at a recent Council meeting by Councillors confirming their support of democracy. He referred to the response to the consultation and was critical of the way in which the proposed Waimea Dam project is to be funded. He considered there were discrepancies and misleading information put forward by the consultant experts that should not be ignored.

Mr Maxwell Clark

Mr Clark was critical of the Council for having failed to provide sandbags to those in the District ahead of the ex tropical cyclone Gita.

He also referred to the experts who spoke at the recent Council Deliberations meeting to consider submissions to the proposed Waimea Dam Statement of Proposal (SOP). He did not believe the solution offered by the proposed Waimea Dam was a good investment. He believed there was a lack of willingness of the consultant experts to confirm the real facts of the project to Council and believed a number of questions raised by Councillors had been ignored.

Mr Ron Sharplin

Mr Sharplin read a prepared statement relating to the proposed Waimea Community Dam. He called for a referendum on the decision to build the Dam. He confirmed he was an opponent to the project. He reminded Councillors of their obligation to assess a decision in accordance with their Significance and Engagement policy. He surmised that the decision is one of 'high significance'. He contended the consultation processes are invalid. He believed that Council was acting ultra vires of their own policies. He concluded by emphasising there should be a referendum called for this decision.

4 DECLARATIONS OF INTEREST

Cr Canton declared an interest in item 8.9 as he owns a property situated opposite an area which will be affected by the proposed amendments to the bylaw.

Cr McNamara also declared an interest in item 8.9 although did not specify what this was.

5 LATE ITEMS

Nil.

6 CONFIRMATION OF MINUTES

Cr Wensley – page 4 – freedom camping bylaw – proposed amendment 3rd para –

Aside from the amendments that were noted in the unconfirmed minutes included with the Agenda, a further amendment was requested to page 4, item 8.1 'Proposed Freedom Camping 2017' which read:

“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.”

This was amended to read:

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

Moved Cr Wensley/Cr Brown

CN18-02-2

That the minutes of the Full Council meeting held on 14 December 2017, as amended, be confirmed as a true and correct record of the meeting.

CARRIED

Moved Cr Wensley/Cr Brown

CN18-02-3

That the minutes of the Full Council meeting held on 1 and 2 February 2018, be confirmed as a true and correct record of the meeting.

CARRIED

7 DEPUTATIONS (PRESENTATIONS)

Nil.

8 REPORTS

8.1 Decision on Waimea Community Dam Consultation Document -Statement of Proposal (SOP) for Governance and Funding Arrangements

The Strategic Policy Manager spoke to the report. She explained the key obligations for consideration under the Local Government Act.

The Corporate Services Manager explained the mechanical part of the process of setting up the Council Controlled Organisation (CCO) for the governance of the proposed Waimea Community Dam project, should it proceed. He confirmed the process of incorporating a company was not an expensive one. A 'shell company' can be formed ahead of any decision and would provide the lead time required in readiness for financial close.

The Chief Executive clarified that approval was not being sought to set up the CCO but that it was

important that the draft resolution wording aligned with the Local Government Act (LGA) and what the SOP anticipated. He referred to the 'Decision Tree' that was tabled at the meeting (*a copy will be retained with minutes*) which showed the decision path for the future. He stated that no other action in relation to the forming of the CCO would be undertaken until after 5 April 2018 report to Council when the outcome of WIL's share capital raising was known.

The timeline for decision-making was discussed. There were difficulties in providing specific dates for each step but the report back on the proposal to form a CCO will come back to Council at their meeting on 5 April 2018. There would also be an update on the attachment of a hydro plant to the dam.

In response to a suggestion there was not enough work carried out on the cost benefit for the project Chief Executive explained the work that had been done. He said that if the resolution was defeated, a CCO could not be formed unless there was a further round of consultation.

The meeting referred to river flows in relation to the National Policy Statement (NPS) on Freshwater Management. The Environment and Planning Manager clarified the likely implications of water flow on a 'with dam' and 'without dam' scenario.

It was suggested that the deliberations process was not a sound one. The Chief Executive responded that the minutes showed that there was a detailed consideration of the issues topic by topic and that amounted to 'deliberations' and complied with the Council's statutory obligation. He reassured Councillors that they were still following a process and a binding decision on whether to build the proposed Waimea Community Dam has yet to be made.

An amendment to the draft resolution was put.

Moved Cr Greening/Cr Canton

That the Full Council

1. receives the Decision on Waimea Community Dam Consultation Document - Statement of Proposal for Governance and Funding Arrangements report RCN18-02-01; and
2. approves the use of, and becoming a shareholder in a Council Controlled Organisation that was proposed in the Consultation Document (SOP) for the Waimea Community Dam, subject to:
 - (a) a formal decision to proceed with the Waimea Community Dam; and
 - (b) Waimea Irrigators Limited (WIL) raising the necessary capital and a tender price for the construction of the Dam being agreed by Council; and
3. instructs staff to notify submitters of the outcome of Council's 1 & 2 February 2018 decision on the Dam, including the reasons as outlined in section 4.12 of this report; and
4. instructs staff to release a question and answer sheet to submitters on the technical matters about the Dam project as discussed at the deliberations.

On a show of hands 6 were in favour, 7 against.

LOST

The Chief Executive considered that if the resolution was not supported then the entire process

will be unravelled and the project would potentially be at an end. He confirmed there was some complication in the changing of the wording in relation to the tender process. He said that, before any significant resource is committed to the project and the formation of the CCO, the outcome of WIL's capital raising would need to be known and a higher level of certainty achieved about the tender price.

On a right of reply, Cr Bryant explained the decision would allow Council to continue the preparatory work in readiness for a positive decision on the proposed Waimea Community Dam, should that be achieved.

**Moved Bryant/Cr Tuffnell
CN18-02-4**

That the Full Council

1. receives the Decision on Waimea Community Dam Consultation Document - Statement of Proposal for Governance and Funding Arrangements report RCN18-02-01; and
2. approves the use of, and becoming a shareholder in, the Council Controlled Organisation that was proposed in the Consultation Document (SOP) for the Waimea Community Dam, with its formal establishment and formation being subject to Waimea Irrigators Limited raising the necessary capital and a tender price for the construction of the Dam being agreed by Council; and
3. instructs staff to notify submitters of the outcome of Council's 1 & 2 February 2018 decision on the Dam, including the reasons as outlined in section 4.12 of this report; and
4. instructs staff to release a question and answer sheet to submitters on the technical matters about the Dam project as discussed at the deliberations.

Cr McNamara called for a division.

Brown	For
Bryant	For
Canton	For
Greening	Against
Hawkes	For
Kempthorne	For
King	For
Maling	For
McNamara	Against
Ogilvie	For
Sangster	For
Tuffnell	For
Turley	Against
Wensley	Against

CARRIED

The meeting broke for morning tea at 11.25 am and reconvened at 11.37 am. Councillor Sangster was absent.

8.2 Schedule of Charges 2018/2019

The Policy Advisor spoke to the report. The Corporate Services Manager and the Environment and Planning Manager clarified a number of queries raised in relation to fees. They explained the fees and charges for commercial operations, such as Port Tarakohe also reflect the volume of activities/users.

Cr Sangster re-joined the meeting by audio-link at 11.43 am.

**Moved Cr Maling/Cr Canton
CN18-02-5**

That the Full Council

- 1. receives the Schedule of Charges 2018/2019 report RCN18-02-02; and**
- 2. adopts the Statement of Proposal for the Schedule of Charges (Attachment 1) as the basis for public consultation in accordance with Sections 83 and 87 of the Local Government Act 2002, incorporating any minor amendments to this Statement of Proposal as agreed at the meeting; and**
- 3. notes that an outline of the key changes to the Schedule of Charges is included in the introduction to the Statement of Proposal and will also be included in a Newsline Article; and**
- 4. agrees that a separate Summary of Information for the Schedule of Charges Statement of Proposal is not necessary to enable public understanding of the proposal; and**
- 5. agrees that the Statement of Proposal for the Schedule of Charges will be publicly notified in the TDC Newsline on 2 March 2018, and subsequent Newsline Updates in local papers; and**
- 6. agrees that the Statement of Proposal for the Schedule of Charges will be made available through Council offices and libraries, and on Council's website; and**
- 7. agrees that the consultation period for the proposed Schedule of Charges will open on 1 March and close at 5.00 pm on Thursday 5 April 2018; and**
- 8. notes that submitters will be given an opportunity to present their views contained in their submission at a Council hearing between 18 and 24 April 2018.**

CARRIED

8.3 Long Term Plan 2018-2028 Consultation Document, Supporting Information and Concurrent Consultation

The Senior Policy Manager spoke to the report. She described the process over the last two years, including community consultations and the many workshop sessions with Councillors, that had taken place to assist with their understanding and recording views expressed.

A number of amendments were tabled, largely to comply with the recommendations made by Audit New Zealand. The Senior Policy Advisor and Activity Planning Manager went through

these changes and explained the rationale behind them.

The Mayor reminded Councillors that many of the issues in the LTP had been discussed at length and matters clarified. The decision before them now was to formally adopt the document, with the amendments as tabled. There was an indication that further debate was warranted on certain issues because there was concern at the inclusion of some items where the ability to achieve them was not feasible. It was noted that the overall self-imposed constraint was that there is to be no more than a 3% rates increase. Debt caps had also been discussed. There was an acknowledgement that during the workshopping process, Councillors were given the opportunity for their Ward's ratepayers' priorities to be taken into account.

The meeting was reminded that the document was for consultation and further amendments could be made, where they were warranted and received support.

**Moved Cr Sangster/Cr Wensley
CN18-02-6**

PART A

That the Full Council

- 1. receives the Long Term Plan 2018-2028 Consultation Document, Supporting Information and Concurrent Consultation report RCN18-02-03; and**
- 2. adopts the following as supporting information for the Consultation Document as required by section 93G of the Local Government Act 2002:**
 - **Draft Financial Strategy (Attachment 4)**
 - **Draft Infrastructure Strategy (Attachment 5)**
 - **Draft Statement on Fostering Māori participation in Council decision making (Attachment 6)**
 - **Draft Accounting Information (Attachment 7)**
 - **Draft Assumptions (Attachment 8)**
 - **Draft Funding Impact Statement (Attachment 9)**
 - **Draft Council Activities Summaries (Attachment 10)**
 - **Draft Activity Management Plans (Attachment 11)**
 - **Growth Model 2017 Summary (Attachment 12); and**
- 3. adopts the Draft Revenue and Financing Policy (Attachment 2), for concurrent consultation with the Consultation Document under the provisions of section 82 of the Local Government Act 2002; and**
- 4. notes that, when setting development contributions, Council must consider how it sets its catchments for grouping charges by geographic areas and that the Local Government Act 2002 requires that:**
 - **the grouping is done in a manner that balances practical and administrative efficiencies with considerations of fairness and equity; and**
 - **grouping by geographic area avoids grouping across an entire district wherever practical; and**
- 5. proposes that for setting water, wastewater, and stormwater development contributions, the following three catchments are used:**

- i. **Waimea catchment including the settlements of Wakefield, Brightwater, Richmond, and Mapua**
 - ii. **Motueka catchment including the settlements of Motueka, Riwaka, and Kaiteriteri**
 - iii. **Golden Bay catchment including the settlements of Takaka, Collingwood, Pohara, Ligar Bay, and Tata Beach; and**
6. **agrees that the reasons for the catchment groupings in Resolution 5 above are that:**
 - **these communities share much of their infrastructure, such as wastewater reticulation and treatment and are connected;**
 - **these communities identify as individual communities, and are centred around a main settlement; and**
 - **it provides a reasonable number of catchments to ensure fairness and equity, without making the development contributions system administratively too complex for Tasman, being a small-mid size council; and**
7. **notes that within the catchments proposed in Resolution 5, not all development contributions are payable in every settlement; and**
8. **agrees that Council proposes a single development contributions catchment for transportation, incorporating all of the District and that the reasons for this are that:**
 - **transportation assets are District-wide assets that all developments are connected to and make use of;**
 - **Council does not have the complex transportation models that would be needed to adequately model and attribute growth demands (and costs) on the different parts of the network from the different parts of the District;**
 - **any apportionment on other basis would be likely to generate as many inequities as it would address; and**
 - **it is impractical and potentially inequitable as a result, to create multiple catchments for transportation at this time; and**
9. **adopts the Draft Development and Financial Contributions Policy (Attachment 3), for concurrent consultation with the Consultation Document under the provisions of section 82 of the Local Government Act 2002; and**
10. **agrees that the most appropriate means of consulting on the Draft Revenue and Financing Policy (Attachment 2), and the Draft Development and Financial Contributions Policy (Attachment 3) is a similar process to that of a Special Consultative Procedure; and**
11. **agrees that these documents will be made available to the public on or before 1 March 2018; and**
12. **agrees that the submission period for these documents closes at 5.00 pm on 5 April 2018; and**
13. **agrees to the Mayor, Deputy Mayor, and the Chief Executive Officer approving any further minor editorial amendments in these documents prior to them being printed and made available for public consultation.**
14. **notes that the Other Projects and Changes Information (Attachment 13) and Draft Settlement Area Reports (Attachment 14) will be made available as information to the public in association with the Consultation Document.**
15. **Agrees that a summary of information contained in each of the following documents adopted for concurrent consultation is not required, and that each document constitutes a statement of proposal for the purposes of public consultation:**

Draft Revenue and Financing Policy
Draft Development and Financial Contributions Policy
Draft Significance and Engagement Policy
Draft Rates Remission Policy
Draft Rates Relief for Maori Freehold Land

PART B

That the Full Council

- 1. receives the Audit Opinion from Audit New Zealand for inclusion in the Consultation Document; and**
- 2. agrees, that having considered Council's Significance and Engagement Policy and the importance of other matters to the District and its communities, that the key issues and choices facing the Council and the District for this LTP 2018-2028 are:**
 - 2.1 Rates affordability and managing Council's Debt**
 - 2.2 Growth and infrastructure**
 - 2.3 Development and Financial Contributions Policy**
 - 2.4 Drinking Water Supply and Quality**
 - 2.5 Funding Motueka's Water Supply; and**
- 3. notes that the Waimea Community Dam proposals as contained in LTP Consultation Document are consistent with the Council decision on 1 & 2 February 2018; and**
- 4. agrees that the Consultation Document in Attachment 1 to this report provides a fair representation of the matters that are proposed in the Long Term Plan 2018-2028; and**
- 4a. Agrees to incorporate the tabled changes to the Consultation Document and supporting information**
- 5. adopts the Consultation Document in Attachment 1 to this report incorporating any minor amendments agreed at the meeting, for release as the basis of a public consultation process in accordance with Sections 83, 83A, 93A, 93B, 93F and 93G of the Local Government Act 2002; and**
- 6. agrees that the Consultation Document, supporting information and further information will be made available through Council offices, libraries, other public offices and on the Council's website; and**
- 7. agrees that this document will be made available to the public on or before 1 March 2018; and**
- 8. agrees that the submission period for these documents closes at 5.00 pm on 5 April 2018; and**
- 9. agrees to the Mayor, Deputy Mayor, and the Chief Executive Officer approving any further minor editorial amendments in these documents prior to them being printed and made available for public consultation.**

CARRIED

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

8.4 Waimea Community Dam Project Report

The Corporate Services Manager and Interim Project Director, Waimea Water Project Office, were present to clarify questions from Councillors.

The Corporate Services Manager explained how sunk costs were calculated and confirmed the amounts arose from a number of existing workstreams. The Chief Executive clarified these related to costs that were incurred in the past and that invoices had been scrutinised to distinguish the sums that were not directly relating to the Waimea Water and Waimea Irrigators Limited (WIL) joint workstreams. The Corporate Services Manager clarified these sunk costs go back to 2014/15. He said the figure of \$799,000 would be on top of any contribution Council makes as part of the final funding arrangements at financial close.

He went on to explain that this figure had been partly loan funded and some amounts are within current budget. If, at financial close, the proposed Waimea Community Dam project does not proceed, Council would have to turn its mind to how it will deal with these types of costs. The Revenue and Financing Policy has the framework to assist with that. If the \$799,000 is not dealt with as sunk costs, they could be difficult to recover from WIL.

The Chief Executive responded to questions on the draft Delegations Register for the Project Office/Director. He explained this had been written in a way that facilitated a smooth transition across to the Joint Venture Company should a decision to proceed with the Waimea Community Dam project be made by Council later this year. For the moment it relates to the delegations to the Waimea Water Project Board. He confirmed these powers align with the powers that Council has already delegated to Council's senior staff.

The Chief Executive clarified the only delegations that are proposed are either those derived from WIL and carry a mandate to the extent that WIL's Board of Directors have given. Similarly, that is the position with Council's Chief Executive and he will continue with his reporting obligation that he has been fulfilling through regular status reports. He confirmed the level of delegations for the Project Director would be less than those held by the Chief Executive in the interim, until the CCO takes over the project.

**Moved Cr Brown/Bryant
CN18-02-7**

That the Full Council

- 1. receives the Waimea Community Dam Project Report RCN18-02-04; and**
- 2. notes the Project Director Delegations Register; and**
- 3. agrees to accept \$799k of sunk costs to 31/10/2017 will be fully met by Council provided that \$4.087m of project costs to 31/10/2017 are accepted by Waimea Irrigators Limited (WIL) to be part of the core project Budget (Currently estimated for the WIL PDS to be \$82.9m).**

Procedural Motion to Exclude the Public:

Moved Cr Brown/Cr McNamara

CN18-02-8

THAT the public be excluded from the following part(s) of the proceedings of this meeting, with the exception of the Interim Project Director, Waimea Water Project Office who is permitted to remain .

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:

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)(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>

The

meeting resumed in open meeting at 1.30 pm and the motion revisited:

That the Full Council:

- 1. receives the Waimea Community Dam Project Report RCN18-02-04; and**
- 2. notes the Project Director Delegations Register; and**

3. **agrees to accept \$799k of sunk costs to 31/10/2017 will be fully met by Council provided that \$4.087m of project costs to 31/10/2017 are accepted by WIL to be part of the core project Budget (Currently estimated for the WIL PDS to be \$82.9m).**

CARRIED

The meeting broke for lunch at 1.31 pm. Cr Sangster terminated the audio-link at 1.31 pm and did not return to the meeting. The meeting resumed at 2.07pm

8.7 Management of Council Water Supplies

The Utilities Manager, Engineering Services provided an update on the recommendations from Stage 2 of the Government's Havelock North Inquiry. He overviewed Council's current management of the District's water supply schemes and the outcomes from a recent water seminar.

The Utilities Manager explained that the report contained early and urgent 'short term' recommendations as well as long term recommendations. The longer term recommendations required changes to the Health Act and National Environmental Standards on protection of drinking water sources. He outlined the impact to Council if the longer term recommendations were passed into law.

Councillors discussed affordability and the cost implications associated with the recommendations. They heard that the major cost would be in water treatment upgrades to those water supplies not already included in the 2018-2028 LTP. The second biggest cost would be for improvements to water capacity.

It was flagged that the compulsory chlorination of drinking water may become a political public issue and subject to debate.

**Moved Cr McNamara/Cr Greening
CN18-02-10**

That the Full Council receives the Management of Council Water Supplies report, RCN18-02-07.

CARRIED

8.5 2018 Policy on the Appointment of Directors and Trustees to Council Organisations

The Corporate Services Manager provided an overview of his report.

A robust discussion was held, in reference to the Controller and Auditor General guidance included in the report and on the competency of elected members as directors of Company Organisations.

The Corporate Services Manager confirmed the new policy had been written to align with Office of the Auditor General (OAG) best practice, the Nelson City Council policy, and the Policy for Jointly Appointed Directors/Trustees. He explained the main difference is that the Tasman Council policy did not prohibit the appointment of elected members as directors or trustees.

Councillors discussed the current situation with elected members on Boards and the process as contained in the 2013 Policy. Some felt this was working well.

A motion to adopt the draft resolution was foreshadowed and the following motion put:

Moved Cr Canton/Cr McNamara

That the Full Council

1. receives the 2018 Policy on the Appointment of Directors and Trustees to Council Organisations report RCN18-02-05; and
2. continues to operate under the 2013 Policy

Councillors discussed the changes to the recruitment process as outlined in the new policy. The Corporate Services Manager explained that the comments on elected members competencies (from the OAG) are included to assist Councillors in making a decision. He cautioned reverting to the 2013 policy as there were some issues with the recruitment process last time due to inconsistencies with other policies.

The Mayor asked for a show of hands for those in support of changing the motion to 'operate under the 2013 policy'.

On a show of hands the majority did not support the motion.

LOST

Councillors asked that the policy be changed to provide for Councillors to be advised of vacancies on Boards as soon as possible. This became the new, substantive motion.

**Moved Cr Tuffnell/Cr Wensley
CN18-0211**

That the Full Council

- 1. receives the 2018 Policy on the Appointment of Directors and Trustees to Council Organisations report RCN18-02-05; and**
- 2. adopts the 2018 Policy on the Appointment of Directors and Trustees to Council Organisations (refer Attachment 1) (as amended to provide for notification to Councillors of vacancies in a timely manner)**

CARRIED

8.6 Amendment of Tasman District Council Standing Orders to enable Youth Council representative attendance at Council Standing Committee Meetings

There was a discussion about the mechanism of changing standing orders, with particular reference to the removal of the Mayor's casting vote. The Governance Advisor confirmed it would require a 75% majority vote and that this was set out in the original report to Council at their Inaugural Meeting in October 2016 when they adopted the existing Standing Orders.

The Chief Executive indicated he would investigate the process and report back.

**Moved Cr Canton/Cr Wensley
CN18-02-12**

That the Full Council

- 1. receives the Amendment of Tasman District Council Standing Orders to enable Youth Council representative attendance at Council Standing Committee Meetings report RCN18-02-06; and**
- 2. agrees to amend the Council Standing Orders adopted by the Council at its meeting on 21 October 2016 as follows:**
 - 2.1 add to standing order 2. Definitions, a new definition for Youth Council Advisor as follows:**

“Youth Council Advisor means a member of the Tasman District Youth Council who can attend and to act in an advisory capacity, at specific Council Standing Committee meetings, where the Committee has permitted their attendance.”
 - 2.2 amend standing order 3.3. Members must obey standing orders to read as follows:**

“All members of the local authority, including members of committees and subcommittees, must obey these standing orders. Local boards and community boards which have adopted these standing orders must also comply with them.

For the avoidance of doubt, Youth Council Advisors must also obey all standing orders while present at Standing Committee meetings.”

cl. 16(1) Schedule 7, LGA 2002.”
 - 2.3 amend standing order 9.14. Public excluded business on the agenda to read as follows:**

“Items that are likely to be discussed under public excluded must be indicated on each agenda and state the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

For the avoidance of doubt, Youth Council Advisors are to be excluded from the meeting during discussion on any public excluded matters, unless standing order 17.2 of these standing orders applies.

s. 46A (9), LGOIMA.”

2.4 Add a new standing order 12.1A. Youth Council Advisors attendance at meetings, as follows:

“12.1A. Youth Council Advisors attendance at meetings

Youth Council Advisors have the right to attend specific Council Standing Committee meetings where that Committee has agreed to permit their attendance.

Youth Council advisors are to attend meetings in an advisory capacity and are not elected members of the Council. They have the right to speak at meetings but do not have voting rights.

There may be up to two Youth Council Advisors at any given meeting. The Youth Council advisors may change from meeting to meeting. Youth Council Advisors do not constitute part of the quorum for Council Standing Committee meetings.

Youth Council Advisors must abide by these standing orders during Standing Committee meetings.

Youth Council Advisors are to be excluded from meetings during discussion on any public excluded matters, unless standing order 17.2 of these standing orders applies.

Youth Council Advisors will not be paid for their attendance at Council Standing Committee meetings.”

CARRIED

8.8 Mayor's Report to Full Council

The meeting received a briefing on the Civil Defence recovery process following former tropical cyclone Gita. It was confirmed staff and Councillors would continue to receive updates from Civil Defence as matters progress.

The Environment Planning Manager confirmed the Water Conservation Order draft submission was being formulated and would be circulated once the legal review had been completed. The Mayor confirmed there would be a Freedom Camping Symposium for discussions with the Minister. Councillors will be advised of the date so that they can attend if they wish to do so.

It was acknowledged that freedom camping sites in the District are often full and there are insufficient reserves in the right places to meet proposed Government standards. The provision of remote campgrounds could possibly involve the purchase of land.

The Mayor confirmed that the shortlist of candidates for the advertised role of Chief Executive had been prepared. He confirmed an Extraordinary meeting would be called for Councillors following presentations from those candidates, to consider the next step in the recruitment process. Friday 16 March was the preference for that meeting.

Moved Mayor King/Canton

CN18-02-13

That the Tasman District Council receives the Mayor's Report to Full Council RCN18-02-08.

CARRIED

The Mayor left at 3.12 pm and Deputy Mayor King was appointed Chairperson for the remainder of the meeting.

Cr Canton and Cr McNamara chose to leave the meeting at 3.13 pm, having both declared an interest in the following item.

8.9 Traffic Control Bylaw - Proposed parking control changes

The Transportation Manager – Engineering Services advised that, although many of the changes were already in place, there was still scope for further changes to be effected. Suggested changes and feedback were given by Councillors and it was confirmed they would be considered by Transportation staff.

Moved Bryant/Cr Greening

CN18-02-14

That the Full Council

- 1. receives the Traffic Control Bylaw - Proposed parking control changes report RCN18-02-09; and**
- 2. approves the following changes to the Traffic Control Devices Register under the Traffic Control Bylaw 2016 with effect from 1 March 2018.**

Richmond

- a. Warring Car Park - eight of the current "all day" parking spaces at the south east end of Warring Street car park to be designated as "P60" car parking**
- b. Otia Drive – on the eastern side of the road install 30m of no stopping lines opposite the intersection with St James Avenue, to run 10m to the north of the intersection and 20m to the south of the intersection of St James Avenue.**
- c. Dorset Street – on the eastern side of the road install no stopping lines for approximately 25m outside 26 and 28 Dorset Street, to extend 2m to the northern side on the access way for 15 Cambridge Street and to extend 2m to the southern side of the access way for 28 Dorset Street**
- d. Dorset Street – on the eastern side of the road install no stopping lines for approximately 20m outside 20 Dorset Street**
- e. Elizabeth Street – on the southern side of the road remove the existing parking bays outside 2 Elizabeth Street and replace with a parking bay to extend for 5m approximately 7m to the east of the intersection with Talbot Street. To the east of this parking bay install approximately 7.5m of no stopping lines, then install a 4.8m parking bay and then a further 3.5m of no stopping lines.**

- f. **Salisbury Road - extend no stopping lines by approximately 10m on Salisbury Road in a north east direction outside the vehicle entrance to Waimea College . Remove two parking spaces at this location.**
- g. **McGlashen Avenue – on the eastern side of the road extend the no stopping lines outside 40 McGlashen Avenue for approximately 15m to the intersection with Doran Street. On the western lane of the street install a 15m length of no stopping cross hatch to across the intersection with McIndoe Place.**
- h. **Artillery Place – on the western side of the road install approximately 120m of no stopping lines from the intersection with Barros Place extending in a southerly directions. Install approximately 20m of no stopping lines from the intersection with Barros Place extending in a northerly direction. Extend both of these stopping lines for approximately 15m around the intersection of Barros Place. On the eastern side of the street install approximately 25m of no stopping lines across the access way of 15 Artillery Place extending approximately 7m to the north of this access way and 2m to the south of this intersection. Install approximately 55m of no stopping lines around the curve in the road to the south of the intersection with Barros Place. Install approximately 4m of no stopping lines from the access way opposite 32 Artillery Place extending in a westerly direction.**
- i. **Lowry Street / Hunt Street - install approximately 20m of no stopping lines between the driveways of 1 Lowry Street and 3 Hunt Street.**
- j. **Hill Street – on the northern side of the road install no stopping lines for approximately 60m from the access way of 140 Hill Street in an easterly direction across the intersection with Stanhope Rise, On the southern side of the street install no stopping lines for approximately 45m between the intersection of Stanhope Rise and Angelus Avenue.**
- k. **McPherson Street – install no stopping lines across the access way to 20 McPherson Street.**
- l. **Stratford Street – on the northern side of the street extend the no stopping lines for approximately 15m in a easterly direction; install two park limit lines on the western side of the access way to 5 Stratford Street and one on the eastern side of the access way to 5 Stratford Street.**
- m. **Heritage Crescent – on the western side of the road install no stopping lines for approximately 4m from the access way of 18 Heritage Crescent in a southerly direction. Install seven park limit lines; on the eastern side of the road. One to the north of the access way for 8 Heritage Crescent, one to the south of the access way to 16 Heritage Crescent. One to the north of the access way to 18 Heritage Crescent, one to the north of the access way to 20 Heritage Crescent and one to the south of 20 Heritage Crescent. Install one park limit line on the western side of the road – one to the north of the access way to 9 Heritage Crescent and one to the south of the access way to number 9 Heritage Crescent.**
- n. **Dorset Street – the parking area outside the main school office entrance to the east of its turning circle at the intersection of Dorset Street and Church Street**

to be designated as P2, 8.30am to 9.30am and 2.30pm to 3.30pm, Monday to Friday. Remove the accessible park at this location.

- o. Dorset Street – to the north of the intersection with Cambridge Street remove the taxi car parking space and change all these car parking spaces to accessible parks.
- p. Church Street – on the eastern side of the road at the intersection with Dorset Street twelve “all day” car parks to be designated as P15 parks, 8.30am to 9.30am and 2.30pm to 3.30pm, Monday to Friday.
- q. Windleborn Place – install no stopping lines for approximately 55m, starting at the northern side of the access way of 10 Windleborn Place in a southerly direction around the end of the cul-de-sac to the southern side of the access way to 5 Windleborn Place.
- r. Chisnall Street – install no stopping lines for approximately 45m, starting to the south of the access way to 13 Chisnall Street in a northerly direction around the end of the cul-de-sac to the northern side of the access way to 14 Chisnall Street.
- s. Lodestone Road – install no stopping lines for approximately 45m, starting at the northern side of the access way to 9 Lodestone Road in a northerly direction around the end of this cul-de-sac to approximately 12m north of the intersection of the access way to 20 Lodestone Road.
- t. Cropp Place - install no stopping lines for approximately 50m, starting 7m north of the access way to 10 Cropp Place in a southerly direction around the end of this cul-de-sac to approximately 5m north of the access way to 3 Cropp Place.

Wakefield

- u. Edward Street – on the western side of the road install approximately 5m of no stopping lines across the access way between 18 and 22 Edward Street; install approximately 12m of no stopping lines across the access ways to 28 and 22A Edward Street.

Brightwater

- v. Ellis Street – change the Traffic Control Devices Register to show Stop Sign at the intersection of Ellis Street and Lightband Road (SH6);
- w. Ellis Street – on the western side of the road outside 56 to 58 Ellis Street change seven of the car parking spaces to P15.

Motueka

- x. Motueka Quay – on both sides of the no-exit section at the northern end of this road install no stopping lines extending for approximately 30m on both sides of the road.
- y. Everett Street and North Street – on the northern side of Everett Street install approximately 30m of no stopping lines from the intersection with North Street in a westerly direction; on the southern side of Everett Street install approximately 20m of no stopping lines from the intersection with North Street in a westerly direction. On the western side of North Street install approximately 10m of no stopping lines from the intersection with Everett

Street in a northerly direction; on the western side of North Street install approximately 10m of no stopping lines from the intersection with Everett Street in a southerly direction. On the eastern side of North Street install approximately 10m of no stopping lines opposite the intersection with Everett Street in a northerly direction; install approximately 6m of no stopping lines opposite the intersection with Everett Street in a southerly direction.

- z. George Quay – on the northern side of the Quay install P180 parking restrictions for approximately 45m.**
- aa. Tudor Street – on the southern side of the road extend the no stopping lines for approximately 6m between the access ways of 17A and 19 Tudor Street.**
- bb. Old Wharf Road – on the southern side of the road install approximately 23m of no stopping lines, running for 10m in a westerly direction from the centre of the access way to St Peter Chanel School. Install no stopping lines for 13m in an easterly direction from the centre of the access way to St Peter Chanel School, between 5 and 9 Old Wharf Road.**

Kaiteriteri

- cc. Kotare Place – on the northern side of the road install no stopping lines for approximately 130m from the intersection with Rowling Road in a westerly direction. Install no stopping lines for approximately 75m from the southern side of the access way to 26 Kotare Place, extending around the cul-de-sac and to the southern side of the access way to number 19 Kotare Place.**
- dd. Cook Crescent – install no stopping lines starting east of the access way to 24 Cook Crescent and extending approximately 50m around the end of the cul-de-sac.**
- ee. Moonraker Way - remove all existing parking bay lines and extend the no stopping lines so no stopping lines run the length of the road. Install the words “no parking” at seven locations along the length of the road, evenly spaced and starting from approximately 10m from the intersection with Tokongawa Drive. Install two signs at the start of the road to warn drivers of the no parking restrictions along the length of the road – “No parking beyond this point. Drop-off and pick-up only.”**

Golden Bay

- ff. Abel Tasman Drive – install a 40m section of no stopping lines directly opposite the Penguin Café and running the length of this property frontage.**
- gg. Kowhatu Grove – install no stopping lines starting approximately 45m east of the intersection with Richmond Road and extending around the end of the cul-de-sac for approximately 45m to finish opposite the start point.**

CARRIED

8.10 Rates Remission Application - Sporting, Recreation or Community Organisations

Moved Cr Maling/Cr Brown

CN18-02-15

That the Full Council

- 1. receives the Rates Remission Application - Sporting, Recreation or Community Organisations report RCN18-02-10; and**
- 2. approves the remission of rates for the 2017-2018 year, being \$944 for rates assessment # 1956026800D, in accordance with Council's Policy on Remission of Rates for Sporting, Recreation, or Community Organisations.**
- 3. approves the remission of rates for the 2017-2018 year, being \$951 for rates assessment # 1874015319, in accordance with Council's Policy on Remission of Rates for Sporting, Recreation, or Community Organisations.**

Cr Canton and Cr McNamara rejoined the meeting at 3.21 pm.

CARRIED

8.11 Corporate Services - Quarterly Report to end September 2017

The Corporate Services Manager and the Community Development Services Manager responded to questions raised by Councillors.

In response to a question about accommodating part time workers – the Chief Executive confirmed Council has a flexi working hours policy and dismissed the suggestion there was a policy preventing part-time working.

Moved Cr Ogilvie/Bryant

CN18-02-16

That the Full Council

- 1. receives the Corporate Services - Quarterly Report to end September 2017 RCN18-02-11; and**
- 2. notes the documents that have been signed under delegation as set out in section 7.8.**

CARRIED

MOVED Cr Ogilvie/Cr Bryant

CN18-02-17

That Council continues with the meeting beyond the prescribed maximum duration of 6 hours, in accordance with Standing Order 4.2.

CARRIED

8.12 Corporate Services - Quarterly Report to end December 2017

The Corporate Services Manager confirmed that the cost of employment an additional legal officer will be met by the existing budget. It was also anticipated that, by employing this resource, there will be a saving on external legal costs and a further saving through intelligent instruction of external legal services.

MOVED Cr Ogilvie/Cr Bryant

CN18-02-18

That the Full Council

- 1. receives the Corporate Services - Quarterly Report to end December 2017 RCN18-02-12; and**
- 2. notes the documents that have been signed under delegation as set out in section 8.2.**

8.13 Chief Executive's Activity Report

The Chief Executive advised Councillors of the opportunity to attend a workshop presented by DLA Piper. It was anticipated this would cover climate change and was relevant to those communities and individuals wanting intervention for the protection of assets and the choices that Council will have to make in relation to those expectations. Further details will be circulated by the Principal Legal Advisor.

He was pleased to report there had been an agreement reached with the recently formed Golden Bay Grandstand Restoration Society for the removal and restoration of the Grandstand. There was a separate agreement between the Society and the Golden Bay Agricultural and Pastoral Society that related to the temporary storage of the structure during restoration.

The Community Development Services Manager explained that the timeframes that were originally submitted in the application to the Tourism Infrastructure Fund were not achievable due to a delay in the Ministry of Business's release of a decision. Furthermore the recent weather events have interfered with progress.

The Chief Executive confirmed he would report back on the performance of the Nelson Regional Development Agency (NRDA). He anticipated that Central Government will work through the clusters of Districts in dealing with the investment in local communities and infrastructure. He believed there was great value in having an organisation such as NRDA, engaging with Marlborough authorities, to lobby Central Government for funding.

A question was raised regarding spending on the Murchison Recreation and Cultural Centre. The Community Development Manager explained that the issue was not a new one but had now become urgent due to pressing health and safety issues.

There was a request for a report on the Council's contributions to Nelson based activities. The Chief Executive confirmed he would include that information in a future report.

**Moved Bryant/Cr Hawkes
CN18-02-19**

That the Full Council

- 1. Receives the Chief Executive's Activity Report RCN18-02-13; and**
- 2. approves participation in the Top of The South (Te Tau Ihu) Regional Growth Strategy noting that a request for funding will be made as part of the Long Term Plan submission process; and**
- 3. agrees to the work to repair the toilet/changing room floors at the Murchison Sport, Recreation and Cultural Centre being undertaken during the 2017/2018 financial year and approves \$30,000 of unbudgeted expenditure for the project; and**
- 4. notes the Council Action Sheet attached.**

CARRIED

8.14 Machinery Resolutions Report

**Moved Cr Maling/Cr Brown
CN18-02-20**

That the Tasman District Council

- 1. Receives the Machinery Resolutions report RCN18-02-14 and that the execution of the following documents under the Seal of Council be confirmed:**
 - Deed of Lease – Diane Brooks - 864 Lower Queen Street – Waimea River Berm**
 - Grazing Lease – New lease as adjoin land ownership changed.**
 - Deed of Covenant – ENZA Fruit**
 - Deed of Variation – JK and KE Heslop Family Trust**
 - Easement – R&V Balzer and F Norton Feasey – RM170123 – Residential subdivision – Easement, right to drain sewage in gross.**
 - Deed of Surrender of Lease – Deed of Lease – Appleby Fresh Limited – Property File 53307L1 – Waimea River Berm Lease – Originally the land was leased to Mr Polglase. He has sold his land to Appleby Fresh Limited and surrendered his lease with the Council. A new lease for the land has been drafted with Appleby Fresh Limited, Commencing 1st October 2016.**

CARRIED

The meeting broke for afternoon tea at 4 pm and resumed at 4.10 pm.

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

**Moved Cr Tuffnell/Cr Hawkes
CN18-02-21**

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 Bateup Road Widening - Project Funding

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)(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.

CARRIED

The meeting moved back into public session and concluded at 5.10 pm.

Date Confirmed:

Chair: