

---

**MINUTES**  
of the  
**TASMAN DISTRICT COUNCIL MEETING**  
**Kaunihera Katoa**  
held  
**9:30 am, Thursday, 28 March 2024**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

---

**Present:** Mayor T King, Deputy Mayor S Bryant, Councillors C Butler, G Daikee, B Dowler, J Ellis, M Greening (Zoom), C Hill (Zoom), K Maling, C Mackenzie, B Maru, and T Walker

**In Attendance:** Motueka Community Board Member (D Armstrong) (Zoom), Golden Bay Community Board Member (G Knowles), Chief Executive Officer (L Rae), Group Manager - Service and Strategy (J Ridd), Group Manager – Finance (M Drummond), Group Manager - Environmental Assurance (K Drummond), Group Manager - Information, Science and Technology (S Manners), Kaihautū (R Thomas), Environmental Policy Manager (B Johnson), Team Leader – Urban & Rural Policy (J Butler), Reserves & Facilities Manager (G Reburn), Management Accounting Manager (P Egan), Corporate Counsel (M Callander), Strategic Policy Manager (D Fletcher), Senior Community Policy Advisor (A Gerraty), Senior Infrastructure Planning Advisor - Stormwater, Rivers & Coasts (I McComb), Building Assurance Manager (M Feely), Technical Lead - Building Assurance (B Barker), Team Leader - Democracy Services (E Stephenson) and Democracy Services Advisor (K McLean)

**Apologies:** Councillors M Kininmonth and D Shallcrass

**1 OPENING, WELCOME**

Mayor King opened the meeting with karakia.

**2 APOLOGIES AND LEAVE OF ABSENCE**

---

**Moved Councillor Maling/Councillor Mackenzie**

**CN24-03-5**

**That the apologies from Councillors Kininmonth and Shallcrass be accepted.**

**CARRIED**

**3 PUBLIC FORUM**

**3.1 Welcoming Communities Advisory Group**

Sally Carlton and Yuki Yoda (Zoom) provided a PowerPoint presentation, which is available on Council's website in the Minutes Attachment Document. They spoke to the presentation regarding student demographics and celebrating diversity, support for language, communication for migrant families, migrant families in the region and raising awareness of diversity and supporting migrant families.

Attachment 1 Welcoming Communities presentation

**3.2 Tasman Democracy - Point 6 "Legal and Democracy Services' in the Chief Executive's Report**

Mathias Schaeffner spoke regarding an action from the previous minutes regarding the breakdown of LGOIMA requests. He explained the status of Tasman Democracy as an incorporated society, the rationale for multiple requests and dissatisfaction with Tasman District Council responses, particularly about what it classified as frivolous and vexatious requests.

**3.3 Ray Hellyer - Unreasonable Complainants Policy**

Ray Hellyer spoke about the recent Stuff article regarding the withholding of LGOIMA information. He referred to a LGOIMA request for consent documents for the Waimea Dam and felt that Peach Island correspondence had resulted in Motueka Board Community Member, Nick Hughes, being declared an unreasonable complainant. He requested that staff be encouraged to act with integrity towards ratepayers.

**3.4 Hugh Challies - Stop bank failure in the lower reaches of the Waimea River**

Hugh Challies provided a slide and tabled a report on developments near the mouth of the Waimea River over the last 50 years in support of his presentation, these are available on the Council's website in the Minutes Attachment Document. He spoke about the history of the flood plain of the river and gravel removal, lessons learnt previously that had been forgotten and flood protection. He asked that Council restore the 1 in 50 year protection.

Attachment 1 Flood Scheme slide

Attachment 2 Report on developments near the mouth of the Waimea River over the last 50 years

**4 DECLARATIONS OF INTEREST**

Councillor Maling subsequently noted an interest in the Confidential Late Item 8.3, Waimea Water Limited – Contractor Matters.

**5 LATE ITEMS (7.16 and 8.3)**

**Moved Deputy Mayor Bryant/Councillor Mackenzie**

**CN24-03-6**

That the late item, 7.16, Delegation to the Joint Committee of the Nelson City and Tasman District Councils to consider and make decisions on recommendations from the Saxton Field Committee regarding changes to the Saxton Field Management Plan in respect of alcohol advertising, be considered at today's meeting. In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.12, the reason the item was not on the agenda is that it was not considered by Nelson City Council until after the agenda was distributed. The reason the item cannot be delayed until a subsequent meeting is so that the Saxton Field Committee can make recommendations to the Joint Committee of Nelson City and Tasman District Councils at its 16 April 2024 meeting.

**CARRIED**

**Moved Deputy Mayor Bryant/Councillor Mackenzie**

**CN24-03-7**

That the confidential late item, 8.3, Waimea Water Limited – Contractor Matters, be considered at today's meeting. In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.12, the reason the item was not on the agenda is because it was not ready until after the agenda was distributed. The reason the item cannot be delayed until a subsequent meeting is to allow outstanding contract matters to be resolved.

**CARRIED**

**6 CONFIRMATION OF MINUTES**

**Moved Councillor Dowler/Councillor Daikee**

**CN24-03-8**

That the open and confidential minutes of the Tasman District Council meeting held on Thursday, 15 February 2024, be confirmed as a true and correct record of the meeting.

**CARRIED**

**Moved Councillor Daikee/Councillor Mackenzie**

**CN24-03-9**

That the minutes of the Extraordinary Tasman District Council meeting held on Monday, 25 March 2024, be confirmed as a true and correct record of the meeting.

**CARRIED**

The confidential late item 8.3, Waimea Water Limited – Contractor Matters was accorded precedence and the public was excluded.

**Procedural motion to exclude the public**

**Moved Councillor Dowler/Councillor Maling  
CN24-03-10**

That Mr David Wright Chairman and Mr Mike Scott Chief Executive, and Doug Hattersley, Director, of Waimea Water Ltd and Mr Bevan Peachey, Partner, Russell McVeagh be permitted to remain for item 0.0 Waimea Water Ltd Contractor Matters after the public has been excluded because of their knowledge of the matter being discussed. This knowledge which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of background information and advice which will be required by the Full Council when assessing options available to it and in explaining any decision to the community.

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:

**8.3 Waimea Water Limited - Contractor Matters**

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)(g) - The withholding of the information is necessary to maintain legal professional privilege.</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 open session was resumed at 11.08am, at which time the meeting was adjourned and reconvened at 11.21am.

**7 REPORTS**

The order of agenda items was changed to reflect officer availability.

**7.14 Chief Executive's Report**

Chief Executive Officer Leonie Rae, presented the report, which was taken as read. Ms Rae, Legal and Democracy Services Manager, Jennie McFarlane and Team Leader Legal, Leith Townshend answered questions regarding Local Government Official Information and Meetings

Act (LGOIMA) request numbers, processes, responses, staff numbers, Council's Appointments Register and Ombudsman investigations.

**Action:** Leonie Rae – a subsequent report to be provided on Council's civil defence capability and fitness for purpose.

**Moved Deputy Mayor Bryant/Councillor Dowler  
CN24-03-12**

**That the Tasman District Council**

- 1. receives the Chief Executive's Report.**

**CARRIED**

### **7.1 Waimea Water Limited Update**

David Wright, Chairman, and Mike Scott, Chief Executive, of Waimea Water Ltd (WWL) provided a PowerPoint presentation which is available on Council's website in the Minutes Attachment Document. They answered questions regarding water flow and health, possible consideration of hydro options, operating costs, contractor performance and WWL's insurance strategy.

**Moved Councillor Dowler/Councillor Maling  
CN24-03-13**

**That the Tasman District Council**

- 1. receives the Waimea Water Limited Update.**

**CARRIED**

Attachment 1 Waimea Water Update presentation

### **7.2 Waimea Water Limited - Half Year Report 31 December 2023**

The report was taken as read and Group Manager Finance, Mike Drummond and answered questions.

**Moved Councillor Mackenzie/Councillor Butler  
CN24-03-14**

**That the Tasman District Council**

- 1. receives the Waimea Water Limited - Half Year Report 31 December 2023 report; and**
- 2. notes the receipt of the Half Year Report for the period ended 31 December 2023 from Waimea Water Ltd; and**
- 3. notes the Waimea Water Ltd Half Year Report (or a link to the report) will be published on the Council's website within seven (7) days of this meeting.**

**CARRIED**

### 7.3 Waimea Water Ltd - Draft Statement of Intent 2024/25

Mr Drummond presented the report and confirmed the Statement of Intent had been received within the statutory timeline, and had been reviewed by the other shareholders.

#### **Moved Councillor Maling/Councillor Maru CN24-03-15**

**That the Tasman District Council**

1. receives the Waimea Water Ltd - Draft Statement of Intent 2024/25 report RCN24-03-7; and
2. notes that the final 2024-34 Long Term Plan will be updated to reflect the increased Council water charges (financing and operating costs) from Waimea Water Ltd; and
3. provides the following comments and feedback to the Waimea Water Ltd Board –
  - 3.1 that the Statement of Intent (Attachment 1 to the agenda report) meets Tasman District Council's shareholder expectations.

**CARRIED**

### 7.4 Referral from Motueka Community Board - increase to eight-week Tasman Resource Management Plan rule for temporary housing

Environmental Policy Manager, Barry Johnson, and Team Leader – Urban & Rural Policy, Jeremy Butler, presented the report and answered questions regarding inconsistencies between temporary housing definitions.

Councillor Maru summarised the Motueka Community Board statement, which would be circulated, noting that the Board felt that the rules marginalised living opportunities throughout the district and that it depended on whether a complaint was made as to when the rules applied.

Mayor King welcomed future discussion on this at the workshops, which Community Board members would be invited to.

#### **Moved Councillor Maru/Councillor Ellis CN24-03-16**

**That the Tasman District Council**

1. receives the Referral from Motueka Community Board - increase to eight-week Tasman Resource Management Plan rule for temporary housing report RCN24-03-8; and
2. notes that two Council workshops are proposed to clearly define the problem and the outcomes that the request is seeking to achieve and to provide advice on options and any recommended interventions to achieve those outcomes.

**CARRIED**

### 7.6 Richmond Athletic Association Football Club - Request for Funding

Reserves & Facilities Manager, Grant Reburn, presented the report and answered questions. He noted a correction to paragraph 11.6 of the agenda report, that the correct amount was \$12.6 million, rather than \$126 million.

#### **Moved Councillor Maling/Councillor Daikee**

**CN24-03-17**

**That the Tasman District Council**

- 1. receives the Richmond Athletic Association Football Club - Request for Funding report RCN24-03-10; and**
- 2. approves grant funding from the Richmond Reserves Financial Contributions budget of \$435,000, towards the cost of new changing rooms and a clubroom upgrade at the Richmond Athletic Association Football Club facilities at Jubilee Park, Richmond, subject to the Richmond Athletic Association Football Club raising the balance of \$215,000 for the upgraded facility prior to any release of Council funding; and**
- 3. requests staff to draft a formal written funding agreement with the Richmond Athletic Association Football Club that covers the approved Council funding and also provides the terms and conditions including undertakings, reporting and conditions precedent to any funding payments prior to any release of Council funding; and**
- 4. authorises the Chief Executive Officer to enter into the formal written funding agreement that covers the approved Council funding and also provides the terms and conditions including undertakings, reporting and conditions precedent to any funding payments prior to any release of Council funding; and with the Richmond Athletic Association Football Club; and**
- 5. authorises the payment of the Council funding over time and commensurate with the agreed stages of the new changing rooms and a clubroom upgrade at Jubilee Park being completed.**
- 6. notes that this project funding was not included in the 2023/24 Annual Plan and further notes that additional capital expenditure will need to be included in the 2024-2034 Long Term Plan to accommodate the Joint Cemetery property purchases if this grant proceeds; and**
- 7. notes the term of the intended ground lease renewal referred to in the agenda report could be from the currently offered standard five (5) years to the maximum term of 33 years permitted under the Reserves Act 1977.**

**CARRIED**

The meeting was adjourned at 12.38pm and reconvened at 1.04pm. Councillors Maru, Butler and Walker were not present.

## **7.7 Coastal Erosion Protection Structures on Council Reserve Land Policy**

Corporate Counsel, Marie Callander, Strategic Policy Manager, Dwayne Fletcher, Kaihautū, Renee Thomas, Senior Community Policy Advisor, Anna Gerraty, and Senior Infrastructure Planning Advisor - Stormwater, Rivers & Coasts, Ian McComb were in attendance for this item.

Councillors Butler, Maru and Walker returned to the meeting at 01:07 pm.

Ms Callander provided a PowerPoint presentation, which is available on Council's website in the Minutes Attachment Document.

Following questions and discussion on bonds, coastal erosion, indemnities, legal liability, obligations and covenants, it was agreed that more information was required regarding bonds and that the matter be left to lie on the table for a future meeting.

### **Moved Councillor Maling/Councillor Walker CN24-03-18**

**That the Tasman District Council**

- 1. leaves the Coastal Erosion Protection Structures on Council Reserve Land Policy report, RCN24-03-11 to lie on the table and be brought back to a future meeting.**

### **CARRIED**

Attachment 1 PowerPoint presentation

## **7.15 Mayor's Activity Update**

The report was taken as read.

### **Moved Deputy Mayor Bryant/Councillor Mackenzie CN24-03-19**

**That the Tasman District Council**

- 1. receives the Mayor's Activity Update report.**

### **CARRIED**

## **7.16 Delegation to the Joint Committee of the Nelson City and Tasman District Councils to consider and make decisions on recommendations from the Saxton Field Committee regarding changes to the Saxton Field Management Plan in respect of alcohol advertising**

The report was taken as read.

### **Moved Deputy Mayor Bryant/Councillor Mackenzie CN24-03-20**

**That the Tasman District Council**

- 1. receives the Delegation to the Joint Committee of the Nelson City and Tasman District Councils to consider and make decisions on recommendations from the Saxton Field Committee regarding changes to the Saxton Field Management Plan in respect of alcohol advertising report RCN24-03-21; and**



2. **delegates to the Joint Committee of Nelson City and Tasman District Councils consideration and decisions on any recommendations from the Saxton Field Committee regarding changes to the Saxton Field Management Plan, in respect of alcohol.**

**CARRIED**

Councillor Greening requested that his vote against the motion be recorded.

**7.8 Coastal Protection Policy Confirmation**

It was agreed that the same issues relating to the Coastal Erosion Protection Structures on Council Reserve Land Policy report existed for the Coastal Protection Policy confirmation report and that the issues required workshopping. Consultation was recommended on this policy, The Coastal Protection Policy confirmation report was also left to lie on the table.

**Moved Councillor Mackenzie/Councillor Maru  
CN24-03-21**

**That the Tasman District Council**

1. **leaves the Coastal Protection Policy Confirmation report to lie on the table and be brought back to a future meeting.**

**CARRIED**

**7.5 2023/24 Financial Year End Forecast**

Chief Executive Officer, Leonie Rae spoke to the report. She felt that the sector was facing challenges, this forecast had not been unexpected, and anticipated some more provision for strategic land purchases, rather than an ad hoc approach, with more oversight at a leadership level around financial consequences of decisions moving budget across activities.

Mr Drummond acknowledged that the report raised some concerns that the Council was not in the preferred financial position. He advised that work was being undertaken to improve managers' financial management skills.

Mr Drummond and Management Accounting Manager, Paul Egan answered questions.

**Moved Councillor Maru/Councillor Mackenzie  
CN24-03-22**

**That the Tasman District Council**

1. **receives the 2023/24 Financial Year End Forecast report; and**
2. **notes the forecast net debt position when considering decisions proposing un-forecast additional expenditure in the remainder of the financial year.**

**CARRIED**

## **7.9 Draft Policy for Consultation - Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams**

Mr Fletcher, Building Assurance Manager, Matt Feely, and Technical Lead - Building Assurance, Bevan Barker, presented the report. Mr Fletcher noted that the policy was required by legislation, with requirements effective from May and highlighted the change to the officer recommendation due to government changes to the definition of classified dams.

**Moved Councillor Butler/Councillor Maru  
CN24-03-23**

**That the Tasman District Council**

- 1. receives the Draft Policy for Consultation - Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams RCN24-03-13 report and its attachments; and**
- 2. notes that the Building Act 2004 requires the use of the special consultative procedure for community consultation of the Draft Policy on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams (Attachment 1 to the agenda report); and**
- 3. authorises the Chief Executive to amend the Statement of Proposal and Draft Policy on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams to reflect the government's intended changes to the definition of classified dams; and**
- 4. approves consultation, using the special consultative procedure, for the Draft Policy on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams (Attachment 1 to the agenda report) and the Statement of Proposal (Attachment 2 to the agenda report); and**
- 5. approves the consultation approach (set out in section 10 of the agenda report) and agrees:**
  - 5.1 the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and**
  - 5.2 the approach will result in the Statement of Proposal being widely publicised as is reasonably practicable as a basis for consultation; and**
- 6. agrees that a Summary of Information as part of the consultation is not necessary to enable public understanding of the proposal; and**
- 7. appoints:**
  - Councillor Maling,**
  - Councillor Dowler; and**
  - Councillor Mackenzie**

**to a Hearings and Deliberations Panel to hear and deliberate on any submissions received on the Draft Policy on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams and make recommendations back to the Environmental and Regulatory Committee; and**
- 8. delegates to the Environmental and Regulatory Committee, pursuant to clause 32 Schedule 7 Local Government Act 2002, authority to:**

- 8.3 receive and consider the recommendations of the Hearings and Deliberations Panel; and
- 8.4 decide on the adoption of a Council Policy on Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams, as required under section 161 of the Building Act 2004.

## **CARRIED**

### **7.10 Delegations to the Chief Executive Officer and Staff**

Ms McFarlane summarised the report, noting the upcoming comprehensive review of delegations as part of the LocoDelegations project and answered questions regarding Section 17A reviews, delegations for street naming and changing street names, and bylaw delegations.

#### **Moved Councillor Dowler/Councillor Mackenzie CN24-03-24**

**That the Tasman District Council**

1. receives the Delegations to the Chief Executive Officer and Staff report RCN24-03-14; and
2. delegates the Council's powers under s339 (Transport shelters) of the Local Government Act 1974 in Attachment 1 to the agenda report, to the Environment and Regulatory Committee, pursuant to clause 32 Schedule 7 of the Local Government Act 2002; and
3. delegates, pursuant to clause 32 Schedule 7 of the Local Government Act 2002, the Council's powers under section 353 (General safety provisions as to roads), section 356 (Removal of abandoned vehicles from roads) and section 356A (Further provision in relation to removal of vehicles from roads) of the Local Government Act 1974 in Attachment 1 to the agenda report, to the following staff:
  - Chief Executive Officer (includes Acting Chief Executive Officer)
  - Group Manager - Community Infrastructure
  - Group Manager - Environmental Assurance
  - Transportation Manager
  - Regulatory Manager
  - Reserves and Facilities Manager
  - Team Leader Compliance and Investigations – (Land and Air)
  - Team Leader Compliance and Investigations – (Water and Waste)
  - Senior Compliance and Investigations Officer
  - Compliance and Investigations Officer
  - Council contractors acting under contract and the Council's authority; and
4. revokes the Council's delegation to the Environment and Regulatory Committee of its powers under Part 8 of the Local Government Act 2002 in relation to the making

of bylaws, pursuant to clause 32 Schedule 7 Local Government Act 2002, noting that the Committee has delegated authority to undertake bylaw preparation processes but only the Council can make a bylaw; and

5. delegates to the Chief Executive Officer the Council's powers under section 17A of the Local Government Act 2002 in Attachment 1 to the agenda report, pursuant to clause 32 Schedule 7 of the Local Government Act 2002, in relation to:
  - 5.1 the provision of Electoral Services by the Council; and
  - 5.2 the provision of Legal Services by the Council, due to the expiry of contracts providing some of these services; and
6. notes that staff are preparing a proposed Council policy on section 17A of the Local Government Act 2002 covering its requirements and which functions and decisions could be delegated, a report with the draft Policy will be presented to the Council at a later date; and
7. amends the delegation set out in section 5.6 Part Three Management of the Council's Delegations Register, pursuant to clause 32 Schedule 7 of the Local Government Act 2002,

**FROM:**

*Authority delegated to the Group Manager Environmental Assurance to decide on street names for new sub divisional roads in accordance with the Council and in consultation with a Ward Councillor or the Community Board*

**TO:**

*Delegates authority to the Chief Executive Officer and to the Group Manager – Environmental Assurance to decide on street names for new and existing roads in accordance with the Council's Street Naming Policy and in consultation with the Councillors or the Community Board (if any) for the Ward where the roads are located; and*

8. delegates to the Chief Executive Officer, to the Tier Two Group Managers and to the Enterprise and Property Services Manager, the Council's powers under sections 109, 112, 138, 142, 143, 144 and 145 of the Land Transfer Act 2017 and the following property delegations (to be added to the delegation in the Council's Delegations Register – Part Three Management – cl5.3 e)), pursuant to clause 32 Schedule 7 of the Local Government Act 2002:
  - 8.1 *Authority to approve the granting, removal or providing consent in relation to property instruments on land titles in favour of the Council (such as easements, caveats, encumbrances, or covenants) other than where the approval of the Council or a Committee is required by legislation; and*
  - 8.2 *Authority to authorise the removal of historic or redundant instruments registered on land titles, provided that staff investigations confirm either (a) the reason for registering the instrument is no longer valid, or (b) the property is now compliant with current legislation / planning rules, or (c) the agreement which supports the instrument is unable to be located and thus the instrument cannot be enforced.*

**CARRIED**

Councillor Greening requested that his vote against the motion be recorded.

### **7.11 Local Government Funding Agency - Draft Statement of Intent 2024-2027**

The report was taken as read.

**Moved Councillor Dowler/Councillor Butler  
CN24-03-25**

**That the Tasman District Council**

- 1. receives the Local Government Funding Agency - Draft Statement of Intent 2024-2027 Report; and**
- 2. receives the Local Government Funding Agency draft Statement of Intent 2024-2027 (Attachment 2 to the agenda report); and**
- 3. agrees to the Local Government Funding Agency draft Statement of Intent (Attachment 2 to the agenda report) 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. receives the letter from the Chief Executive, Local Government Funding Agency, dated 28 February 2024 (Attachment 3 to the agenda report).**

**CARRIED**

### **7.12 Local Government Funding Agency - Half Year Report 31 December 2023**

The report was taken as read.

**Moved Councillor Maling/Deputy Mayor Bryant  
CN24-03-26**

**That the Tasman District Council**

- 1. receives the Local Government Funding Agency - Half Year Report 31 December 2023; and**
- 2. receives the New Zealand Local Government Funding Agency covering letter dated 28 February 2024, referencing the Half Year Report (Attachment 2 to the agenda report); and**
- 3. notes a link to the New Zealand Local Government Funding Agency Half Year Report will be published on the Council's website within seven (7) days of this meeting.**

**CARRIED**

### **7.13 Machinery Resolutions Report**

The report was taken as read.

**Moved Deputy Mayor Bryant/Councillor Dowler  
CN24-03-27**

**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 Novation (Transfer of Lease terms and conditions) – Council Leases a radio transmitter site at Sandmann Reserve off Lower Queen Street, Richmond to Sports Entertainment Network NZ Limited (SENZ). SENZ are in the process of selling their digital and audio business to TAB NZ who in turn will then novate (transfer) some of their business interests to a third party Entain NZ Limited (Entain).**

**SENZ have provided an agreement that would allow the lease to pass on to first the TAB NZ and then on to the final lease holder Entain. TAB NZ and Entain have both agreed to take over the lease terms and conditions including the ongoing lease payments to the Council.**

**Mohua Social Services – Mohua Social Services approached the Council to formalise their occupation of part of the Community Centre in Tākaka with a lease, in order to assist in their applications for grants to continue their community work.**

**Deed of Assignment from Geoffrey Butterworth to Trewavas Developments Limited – Council and Geoffrey Butterworth are parties to an Agreement dated 23 September 2021 under which Council and Mr Butterworth agreed to relocate a drainage ditch situated on Mr Butterworth’s land at 44 Trewavas Street Motueka to Council’s land at 27 Memorial Drive Motueka.**

**Deed of Renewal between Fawdan Subdivision Limited (501014) and Nelson City Council and Tasman District Council for the Emergency Operations Centre lease – Nelson City Council and Tasman District Council are the joint tenants on the ground floor of this building owned by Fawdan Industries at 28 Oxford Street, Richmond. The Lease is for the Emergency Operations Centre, renewed for another 10 year term from December 2023 to 2033 for a rental market fee of \$70,700 + Gst per annum.**

**CARRIED**

## **8 CONFIDENTIAL SESSION**

The public was excluded at 3.08pm.

### **8.1 Procedural motion to exclude the public**

**Moved Deputy Mayor Bryant/Councillor Maru  
CN24-03-28**

**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:

## 8.2 Strategic Property Purchase for Reserve

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**

## RESTATEMENTS

It was resolved while the public was excluded:

### 8.2 Strategic Property Purchase for Reserve

**CN24-03-29**

**That the Tasman District Council**

12. agrees that the decision only be made publicly available once negotiations are concluded and that the report and its attachments remain confidential at this time.

### 8.3 Waimea Water Limited - Contractor Matters

**CN24-03-30**

**That the Tasman District Council**

7. agrees that the decision, the report and its attachments remain confidential at this time.

The meeting concluded at 3.29pm.

Confirmed as a correct record of proceedings by resolution on 2 May 2024.

**CN24-05-31**

**That the minutes of the Tasman District Council meeting held on Thursday, 28 March 2024, be confirmed as a true and correct record of the meeting.**