
MINUTES
of the
TASMAN DISTRICT COUNCIL MEETING
Kaunihera Katoa
held
9.30 am, Wednesday, 2 October 2024
at
Tasman Council Chamber, 189 Queen Street, Richmond

The [video recording](#) of this meeting is available on the Council's YouTube channel.

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

In Attendance: Chief Executive Officer (L Rae), Executive Assistant and Advisor to the Mayor (R Scherer), Chief Operating Officer (S Manners), Group Manager - Service and Strategy (J Ridd), Group Manager - Community Infrastructure (R Kirby), Group Manager - Environmental Assurance (K Drummond), Governance Manager (E Stephenson), General Counsel (L Townshend), Property and Enterprise Manager (N Chin), and Elections New Zealand Consultant (S Hill) (via Zoom)

1 OPENING, WELCOME

Mayor King welcomed everyone to the meeting and offered the opening karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Councillor Hill/Councillor Mackenzie

CN24-10-1

That apologies from Councillors K Maling and D Shallcrass be accepted.

CARRIED

4 PUBLIC FORUM

Nil

5 DECLARATIONS OF INTEREST

Nil

6 LATE ITEMS

Nil

7 CONFIRMATION OF MINUTES

Moved Councillor Mackenzie/Councillor Daikee

CN24-10-2

That the minutes of the Tasman District Council meeting held on Thursday, 12 September 2024, be confirmed as a true and correct record of the meeting.

CARRIED

Moved Councillor Daikee/Councillor Kininmonth

CN24-10-3

That the confidential minutes of the Tasman District Council meeting held on Thursday, 12 September 2024, be confirmed as a true and correct record of the meeting.

CARRIED

7.1 Representation Review - Submissions Hearing and Deliberations

Hearing of Submitters

Graeme Helleur (33727) – did not attend.

Matthias Schaeffner –Tasman Democracy (33818) - Mr Schaeffner spoke about communities of interest and fair representation for the future. He suggested that the Moutere-Waimea Ward should be merged with other wards as he believed the community of interest for Moutere was in the Motueka Ward.

Bruce Struthers (34131) – Mr Struthers suggested that the Council should have used the most recent census data for the representation review. He also suggested that over representation of elected members was preferable to under representation.

The meeting was adjourned at 10:05am and reconvened at 10:15am.

8 REPORTS

7.1 Representation Review - Submissions Hearing and Deliberations

Group Manager – Service and Strategy, John Ridd and General Counsel, Leith Townshend, presented the report. Mr Ridd tabled the following staff comment in relation to item 5.10.2 of the report, to be included in the Representation Review proposal:

(5.10.2) *Disestablishing the Moutere-Waimea Ward and that parts of that ward are added to either the Motueka or Richmond Ward.*

“Options such as this for the Moutere-Waimea Ward were discussed during earlier stages of this review, but not progressed on the basis that disestablishing the ward would divide existing communities of interest. The ward comprises a well-established network of settlements which are serviced by local facilities and amenities, and supports a strong local network of community associations. The ward’s settlements are predominantly rural and coastal in nature, and do not naturally share common interests with the more urban centres of Richmond or Motueka”.

It was clarified that the Council was required to publicly notify its final representation review proposal by 28 October 2024, and that after that date, any feedback on the proposal was collated by the Council and provided to the Local Government Commission for consideration in its determination.

Moved Deputy Mayor Bryant/Councillor Mackenzie

CN24-10-4

That the Tasman District Council

- 1. receives the Representation Review - Submissions Hearing and Deliberations report, RCN24-10-2; and**
- 2. receives and considers [92 submissions](#) on the Council’s Initial Representation Review proposal received by 2 September 2024; and**
- 3. agrees to accept one late submission received after 2 September 2024; and**
- 4. adopts under sections 19H and 19J of the Local Electoral Act 2001, the following Final Proposal for Tasman District Council for the triennial elections to be held in October 2025 and any subsequent elections/polls held thereafter until altered by a subsequent decision:**
 - I. the Council will comprise a Mayor, who is elected at large, and 14 Councillors elected by wards:**
 - II. the Tasman District be divided into five general wards and one Māori Ward as per the appended maps (Attachments 4 and 5 to the agenda report), with Councillors being elected as follows;**
 - Richmond General Ward – four councillors**
 - Motueka General Ward – three councillors**
 - Moutere/Waimea General Ward – three councillors**
 - Golden Bay General Ward – two councillors**
 - Lakes/Murchison General Ward – one councillor**
 - Te Tai o Aorere Māori Ward – one councillor**
 - III. the population (based on Statistics NZ estimates as at 30 June 2023) that each member will represent is as follows:**

Ward	Population	Number of Councillors	Population per Councillor	% deviation from District average population

				per Councillor
Golden Bay	5,590	2	2,795	-36.01*
Lakes-Murchison	3,990	1	3,990	-8.65
Moutere-Waimea	15,350	3	5,117	17.15*
Motueka Ward	12,500	3	4,167	-4.60
Richmond	19,350	4	4,838	10.76*
Total (General wards)	56,780	13	4,368	
Te Tai o Aorere Māori ward	2,540	1		
Total	59,320			

- IV. that there be two communities which will be represented by a community board (Attachment 6 to the agenda report) as follows:

Golden Bay Community Board	Area covered by the present Golden Bay Ward boundaries.
Motueka Community Board	Area covered by the present Motueka Ward boundaries.

- V. Golden Bay and Motueka communities will each elect four members. They will not be subdivided for electoral purposes. Following the elections, elected Ward members will be appointed to the Boards by the Council, as follows:

Golden Bay Community Board	Two members to be appointed from the Golden Bay Ward and/or the Te Tai o Aorere Māori Ward
Motueka Community Board	Three members to be appointed from the Motueka Ward and/or the Te Tai o Aorere Māori Ward.

- VI. that, following resolution CN23-09-6 and RCN24-10-2, Tasman District Council has established a Māori Ward and proposes that the Māori Ward be named 'Te Tai o Aorere Māori Ward'; and

5. agrees that the Golden Bay General Ward be treated as an isolated community and be exempt from complying with S19V(2) of the Local Electoral Act 2001 on the grounds provided under S19V(3)(a) that non-compliance with S19V(2) is required for effective representation of isolated communities of interest within this ward, for reasons including:
- the ward has previously been recognised by the Local Government Commission as an isolated community in representation reviews since 2007;
 - the area's geographical separation from the rest of Tasman District;

- limited road access, with the main road access (SH60 Tākaka Hill) frequently susceptible to closure due to weather events, slips etc;
 - distance and travel time to the Council offices, affecting the Council's capacity to provide services to the community;
 - the area's character as a summer destination where the small permanent population is significantly increased by visitors during the holiday season.
6. agrees that the Moutere/Waimea General Ward be exempt from complying with s19V(2) of the Local Electoral Act 2001 on the grounds provided under S19V(3)(a):
- that compliance with S19V(2) would limit effective representation by dividing communities of interest between wards.
7. agrees that the Richmond General Ward be exempt from complying with s19V(2) of the Local Electoral Act 2001 on the grounds provided under S19V(3)(a):
- that compliance with S19V(2) would limit effective representation by dividing communities of interest between wards.
8. notes in accordance with S19K(2) of the Local Electoral Act 2001, that the proposal includes the following changes to existing representation arrangements, for the reasons set out below:
- the addition of the Te Tai o Aorere Māori Ward - to provide a way for Māori within the District to contribute to decision-making and have representation at the Council;
 - the addition of one councillor to represent the Te Tai o Aorere Māori Ward – to enable the creation of the Te Tai o Aorere Māori Ward and improve effective representation for Māori within the District; and
9. agrees that public notice be given of the Council's Final Representation Proposal in Newsline, inviting appeals from those people who submitted to the Initial Proposal, and objections from any person who objects to the final proposal (if different from the initial proposal), for a period of at least one month; and
10. notes that staff will advise all submitters on the Initial Representation Proposal of their right to appeal on matters contained in their submissions; and
11. notes that if the Final Proposal:
- does not meet legislative requirements in terms of S19(V)ii of the Local Electoral Act 2001; and/or
 - is subject to appeal or objection; and
12. that appeals, objections and other relevant information is required to be forwarded to the Local Government Commission for final determination of representation arrangements for the 2025 triennial elections, and for further elections, including by-elections, until next reviewed.

CARRIED

Councillors Dowler, Greening and Walker asked that their vote against the resolution be recorded in the minutes.

7.2 Amendment to Standing Orders

Governance Manager, Elaine Stephenson presented the report which was taken as read.

Moved Councillor Mackenzie/Deputy Mayor Bryant

CN24-10-5

That the Tasman District Council

1. receives the Amendment to Standing Orders report, RCN24-10-1; and
2. amends Tasman District Council Standing Order 12.8 – Member’s status: quorum
FROM:
Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.
TO:
Members who attend meetings by electronic link will be counted as present for the purposes of a quorum; and
3. notes that revised Standing Orders will be presented to the Council for adoption, once the new Local Government New Zealand Model Standing Orders are available.

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

Moved Deputy Mayor Bryant/Councillor Hill

CN24-10-6

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 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</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

	(including commercial and industrial negotiations).	
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CARRIED

The meeting resumed in open session at 11.13am.

RESTATEMENTS

It was resolved while the public was excluded:

8.2 Strategic Property Purchase report

Moved Mayor King/Councillor Hill

CN24-10-7

That the Tasman District Council

3. agrees that the report and decision remain confidential at this time.

Mayor King offered the closing karakia and the meeting concluded at 11.15 am.

Confirmed as a correct record of proceedings by resolution on 10 October 2024

CN24-10-8

That the minutes of the Tasman District Council meeting held on Wednesday, 2 October 2024, be confirmed as a true and correct record of the meeting.