

MINUTES

TITLE: Tasman District Council
DATE: Thursday 13 July 2006
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Mayor J C Hurley (Chair), Crs T B King (Deputy Mayor), S J Borlase, S G Bryant, R G Currie, E E Henry, M J Higgins, R G Kempthorne, T E Norriss, E M O'Regan, N Riley, P K O'Shea and E J Wilkins.

IN ATTENDANCE: Chief Executive (R G Dickinson), Engineering Services Manager (P Thomson), Community Services Manager (L L Kennedy), Transport Engineer (R Ashworth), Roading Engineer (S Elkington), Policy Planner (R Biss) and Administration Officer (B D Moore).

APOLOGIES

**Moved Crs Henry/O'Regan
CN06/07/01**

**THAT apologies for Crs Inglis for absence and O'Shea for lateness be sustained.
CARRIED**

1. PUBLIC FORUM

Mr C Robinson claimed that Council had been wasting money on projects throughout the District.

Mr C Clark said that the proposed rating increase was too high especially for pensioners. He expressed concern about the regional museum loan and the Trafalgar Park upgrade.

Mr P Tait congratulated Council on the completion of the main office building and thanked Council for the waterblasting of Queen Street footpaths. He thanked Council for the planned future investment in the Richmond town centre upgrade.

2. SPEAKING RIGHTS FOR COMMUNITY BOARD CHAIRMAN J BELL

**Moved Crs Wilkins/Norriss
CN06/07/02**

**THAT speaking rights be granted to Golden Bay Community Board Chairman Mr J Bell at this meeting.
CARRIED**

3. CONFIRMATION OF MINUTES

3.1 Tasman District Council – 1 June 2006

**Moved Crs Norriss/Kempthorne
CN06/07/03**

**THAT the minutes of a meeting of the Tasman District Council held on 1 June 2006, containing resolutions CN06/06/01 to CN06/06/17 be approved as a correct record.
CARRIED**

3.2 Special Council – 29 June 2006

**Moved Crs Kempthorne/King
CN06/07/04**

**THAT the minutes of a special meeting of the Tasman District Council held on 29 June 2006, containing resolutions CN06/06/61 to CN06/06/71 be approved as a correct record.
CARRIED**

4. SHOP TRADING HOURS

A report of 27 June 2006 contained within the agenda from the Environment and Planning Manager, sought Council's response to an invitation from the Parliamentary Commerce Committee on the proposed shop trading hours private members' bills relating to Good Friday and Easter Sunday. The Bills proposed that discretionary powers would be given to local authorities which will be required to use special consultative procedures in order to exercise the proposed discretion.

General support for a submission was expressed by Councillors and the Chief Executive noted that Council's required response would be that it does not wish to be the agency to provide discretionary power for shops to trade on Good Friday and/or Easter Sunday and that Council does not wish to go through the special consultative procedure.

**Moved Crs King/O'Regan
CN06/07/05**

**THAT the Tasman District Council submits opposing the Shop Trading Act repeal (Easter Trading) Amendment Bill and the Easter Sunday (shop trading) Bill.
CARRIED**

5. MAYOR'S REPORT OF 13 JULY 2006

5.1 LTCCP Council Meetings

Mayor Hurley thanked Councillors and staff for attendance at the many meetings leading up to the completion of Council's Long Term Council Community Plan which received an unqualified Audit report.

5.2 New Office Block Completion

The Mayor referred to the recent completion of the Council's Richmond Office Block and alterations and additions, and thanked all involved.

5.3 Network Tasman Trust Election Criteria

The Mayor noted that Council had a partial victory in its submission to Network Tasman Trust regarding its election criteria.

Cr Henry expressed Councillors' thanks to Mayor Hurley for his leadership through the LTCCP process.

Cr O'Shea arrived at the meeting at 10.10 am.

3. REPRESENTATION REVIEW UPDATE REPORT, E313

Community Services Manager, Mr L L Kennedy, spoke to the report of 6 July 2006 contained within the agenda, to advise Council on the representation review process to date.

Council's resolution of 1 June 2006, listing the initial proposal for representation arrangements for the next triennial election of the Tasman District Council to be held on 13 October 2007, was duly advertised and the period for public submissions closed on 5 July 2006.

The report advised that 604 submissions were received and a date to consider the submissions and hear those who wish to speak to their submissions, has been set for Monday 31 July 2006, in Motueka.

Cr Henry asked that staff ensure that the public be informed of the process to be followed pursuant to the requirements of the Local Electoral Act 2001 and suggested that the use of the Newslite publication would be appropriate.

**Moved Crs King/Riley
CN06/07/06**

**THAT the representation review update report E313 of 6 July 2006 be received.
CARRIED**

7. CHIEF EXECUTIVE'S REPORT FOR JUNE/JULY 2006

Mr Dickinson referred in his report to the opening of the Richmond Main Office building which took place on schedule on Wednesday 21 June 2006 and that the project had been concluded on time and within budget.

He referred to the adoption of the LTCCP with an unqualified Audit opinion on Thursday 29 June 2006. Cr Higgins suggested that a two monthly meeting schedule may be possible in some instances and said that the advice of the Chief Executive could be sought. Councillors comments noted the ability to cancel meetings for lack of business and the desirability of establishing a long term meeting schedule so that adequate advance warning of meeting dates is provided.

The report referred to the subject of rating affordability and contained a list of local authority draft rate increases. Local Government New Zealand intends to carry out a professional study on the subject of cost shifting from central to local government.

Attached to Mr Dickinson's report was a letter of 3 July 2006 addressed to the Minister of Local Government on the subject of wastewater and water subsidy schemes and the Council being not eligible for subsidy support. The letter invited the Minister to attend a future Tasman District Council meeting.

The agenda contained the Port Nelson Limited consolidated statement of financial performance report for nine months to 31 March 2006.

**Moved Crs King/Norriss
CN06/07/07**

**THAT the Chief Executive's report for June/July 2006 be received.
CARRIED**

8. MACHINERY RESOLUTIONS

**Moved Crs Norriss/Kempthorne
CN06/07/08**

THAT the execution of the following documents under the seal of Council be confirmed:

COVENANTS

R J & P A McKay – RM031036 – cancellation of covenant on property at 178 River Terrace, Brightwater

R & K Alexander – RM060333 – covenant for granny flat – 178 River Terrace, Brightwater

DEED OF LEASE

Grazing lease of Waimea River Berm to A M , B H & H A Ford.

DEED OF VARIATION

ASB Documents and Deed of Variation to Substitute Security Sharing Deed.

EASEMENTS

T & D Ricketts – RM010156 - easement in gross in favour of TDC for right to drain water and sewage on property at 6 Sixpenny Lane, Brightwater.

TDC – easement in gross for right to drain water at Headingly Lane.

TDC (Saxtons Field) – easement in favour of Sutton family for right to convey water, right to convey electricity, telecommunications & computer media, and right to drain sewage.

LOAN

Loan agreement between TDC and Abbeyfield Golden Bay for \$50,000.

VESTING

**Dalgety Syndicate vesting service lane (Lot 5 DP364182) to TDC at 275 Queen Street, Richmond.
CARRIED**

9. RESOLUTION TO EXCLUDE THE PUBLIC

Mayor Hurley explained that an item not listed on the agenda for a temporary road closure required an urgent decision and therefore could not be delayed until a subsequent meeting. This was because the National Sports Body concerned required an urgent response to coincide with a Political announcement.

**Moved Crs Wilkins/King
CN06/07/09**

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of the matter 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 passing this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
9.1	Roading Issue	Good reason to withhold exists under section 7	Section 48(1)(a)
9.2	Port Tarakohe	Good reason to withhold exists under section 7	Section 48(1)(a)
9.3	Road Closure	Good reason to withhold exists under section 7	Section 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interests protected by Section 6 or 7 of the Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item	Reason to withhold information under Section 7	
9.1	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations	Section 7(2)(i)
9.2	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations	Section 7(2)(i)
9.3	To protect information which is subject to an obligation of confidence	Section 7(2)(c)

CARRIED

**Moved Crs King/Norriss
CN06/07/14**

THAT the open meeting be resumed and the following roading issue decision be confirmed in open meeting.

CARRIED

10. PREFERRED OPTION FOR STATE HIGHWAY 6/MCGLASHEN AVENUE IMPROVEMENT PROJECT

**Moved Crs Kempthorne/Borlase
CN06/07/15**

THAT the Tasman District Council approves the adoption of Option 4(b) with signals as the preferred option for the State Highway 6/McGlashen Avenue Improvement Project and requests that Transit NZ proceed with public consultation and land acquisition on this basis as soon as possible.

CARRIED

Mayor Hurley thanked Councillors for their attendance and closed the meeting at 2.35 pm.

Date Confirmed:

Mayor: