

MINUTES

TITLE: Tasman District Council
DATE: Thursday 24 August 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, J L Inglis, 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), Community Services Manager (L L Kennedy), Administration Advisor (S Hartley), Service Centres Manager (R Askew), Resource Scientist (J Easton) and Administration Officer (B D Moore).

1. PUBLIC FORUM

Mrs J Vaughan spoke in support of the retention of the Golden Bay Community Board.

Mr A Vaughan also advocated retention of the Golden Bay Community Board.

Ms H Gale sought that two Councillors be retained in the Lakes/Murchison Ward.

Golden Bay Community Board Chairman, Mr J Bell, sought retention of the status quo of two Councillors and the Community Board in Golden Bay.

Mr E L Krammer sought the retention both Golden Bay and Motueka Community Boards.

Golden Bay Community Board member, Mrs C McLellan, sought the retention of the existing community boards and asked for the creation of more community boards with more delegated authority.

2. CONFIRMATION OF MINUTES

2.1 Tasman District Council Meeting – 13 July 2006

Councillor Henry sought that the public forum section of these minutes be amended to note the names of speakers being L Clelland and P Taylor.

**Moved Crs Henry/Riley
CN06/08/09**

THAT the minutes of the Tasman District Council meeting held on 13 July 2006, containing resolutions CN06/07/01 to CN06/07/15, be approved as a correct record.

CARRIED

2.2 Special Council Meeting – 10 August 2006

**Moved Crs Borlase/Inglis
CN06/08/10**

THAT the minutes of a special Council meeting held on 10 August 2006, containing resolutions CN06/08/01 to CN06/08/08, be approved as a correct record.

CARRIED

3. GOLDEN BAY COMMUNITY BOARD 2006 BY-ELECTION

The Electoral Office, Mr L L Kennedy, spoke to his report of 4 August 2006 contained within the agenda. The report showed that Mr M Symmons was elected to the vacancy within the Golden Bay Community Board.

**Moved Crs O'Regan/Kempthorne
CN06/08/11**

THAT the report E314 of 4 August 2006, Golden Bay Community Board 2006 By-Election, be received.

CARRIED

4. REPRESENTATION REVIEW

Administration Advisor, S Hartley, spoke to her report E313 of 16 August 2006 contained within the agenda. She advised that 70 further submissions had been received after the Council meeting on 10 August 2006 when Council requested staff to provide further information on community boards. The report listed specific decisions that Council may need to make pursuant to Section 19(j) of the Local Electoral Act 2001.

Council conducted a general discussion on the funding of community boards and their role and in addition, the alternative community associations or community councils.

Moved Crs Bryant/Higgins

THAT for the 2007 electoral review Council recommends the disestablishment of the Motueka Community Board.

Following some discussion of this motion, Councillor King referred to the need for Council to make a decision regarding Section 19(j)(1) of the Local Electoral Act 2001, whether there should be communities and community boards.

An amendment was moved.

**Moved Crs King/O'Regan
CN06/08/12**

THAT for the 2007 electoral review, community boards be disestablished in Tasman District.

Mayor Hurley called for a division on voting.

Cr Borlase	Against
Cr Bryant	For
Cr Currie	For
Cr Henry	Against
Cr Higgins	For
Mayor Hurley	For
Cr Inglis	For
Cr Kempthorne	Against
Cr King	For
Cr Norriss	For
Cr O'Regan	For
Cr O'Shea	Against
Cr Riley	Against
Cr Wilkins	Against

CARRIED

Mayor Hurley called for a further division on the substantive motion.

**Moved Crs King/O'Regan
CN06/08/13**

THAT for the 2007 electoral review, community boards be disestablished in Tasman District Council.

Cr Borlase	Against
Cr Bryant	For
Cr Currie	For
Cr Henry	Against
Cr Higgins	For
Mayor Hurley	For
Cr Inglis	For
Cr Kempthorne	Against
Cr King	For
Cr Norriss	For
Cr O'Regan	For
Cr O'Shea	Against
Cr Riley	Against
Cr Wilkins	Against

CARRIED

NB: The combined Final Representation Resolutions are:

CN06/08/03

THAT Council adopts Five Wards and 13 Councillors (Lakes/Murchison 1, Richmond 4, Motueka 3, Moutere/Waimea 3, Golden Bay 2), the boundaries of the wards remain the same and Council puts a case for isolated communities for Lakes/Murchison and Golden Bay.

Council endeavoured to comply as closely as possible to Section 19V(2) of the Local Electoral Act, and gave the following reasons for departure in certain wards.

Golden Bay Ward to be treated as an isolated community for the following reasons:

- It is an isolated community requiring specific representation in order to provide effective representation;
- Has a very clear geographic line that separates the Bay from the balance of the district;
- Weather patterns can vary considerably from the rest of the district with heavy rain causing flooding and slips that can isolate the Bay;
- Council contracts for roading, parks and reserves etc. are all carried out from depots based in the Bay;
- The Bay has a relatively small permanent population which swells considerably during the holiday season with people using the camping grounds and many of the baches that remain empty for most of the year;
- Reduced number of members will compromise the rural voice;
- There are four distinct communities of interest within the Golden Bay Ward;

- There are significant distance and travel times;
- Elected members are the eyes and ears of the community, and often the first point of contact for the wards ratepayers and residents.

Lakes/Murchison Ward to be treated as an isolated community for the following reasons:

- Very large geographic area separated from other Wards by hills;
- Council roading contracts for this Ward are carried out from depots based in the Ward;
- Elected members are the eyes and ears of the community, and often the first point of contact for the wards ratepayers and residents;
- There are significant distance and travel times.

Moutere/Waimea Ward departs from Section 19V(2) of the Local Electoral Act 2001 for reasons of:

- Exceeding the population formula by 103 is considered to be only a minor departure from this section;
- By including the 103 into another ward would not change the representation for those wards.

and resolutions:

CN06/08/12 and CN06/08/13

THAT for the 2007 electoral review, community boards be disestablished in the Tasman District.

Council's reasons for disestablishing the Motueka and Golden Bay Community Board are as follows:

- The Motueka and Golden Bay Wards would be over-represented compared to the other three wards if Community Boards were retained.
- The other three Wards showed little interest in having Community Boards in their wards
- A special case has already been made for an isolated community for Golden Bay, and Council had resolved that two Councillors be elected from that ward.
- Motueka Ward is in close proximity to the Richmond Ward where the Council's headquarters is situated. This enables the Motueka Ward's resident and ratepayers to be provided with effective and efficient local government responsibilities
- The Community Boards role is similar to that of community councils, associations and ratepayer/resident associations, which are already established throughout the district. These groups are financially supported by Council, provide a forum for communities to air their concerns, and are attended regularly by the ward councillors.

Cr Higgins sought that the Local Government Commission be presented with an alternative option so that if the number of Councillors in Golden Bay is reduced to one, that a community board be established in Golden Bay.

The Chief Executive commented that he did not think Council could officially advise the Local Government Commission that it also favours a Plan B if Plan A fails.

Mayor Hurley said that it is the Local Government Commission's call in the final decision.

Mr Dickinson advised that it is legally open to anyone, including elected members, to make submissions to the Local Government Commission.

5. CEO'S REPORT FOR JULY/AUGUST 2006

5.1 Council Committee Structure

The report discussed the desirability of merging the Resource Management Policy Committee with the Environment and Planning Subcommittee. It is expected that there would be two meetings of the combined committee within a six weekly cycle.

**Moved Crs Kempthorne/O'Regan
CN06/08/14**

**THAT Council merges the Resource Management Policy Committee and the Environment and Planning Subcommittee.
CARRIED**

5.2 Government Subsidy Schemes for Wastewater and Drinking Water

The agenda contained a letter of response dated 31 July 2006 from the Minister of Local Government, regarding the sanitary works subsidy scheme. Mr Dickinson commented that it is possible there will be an improvement in Tasman District Council's ability to access these funding streams as the criteria are under review.

5.3 Building Consent Pressures

Management and staff are addressing the problem of consent processing time by introducing a fastlane for minor building consent works and employing an additional staff member.

**Moved Crs King/Borlase
CN06/08/15**

**THAT the Chief Executive's report be received.
CARRIED**

**6 POSSIBLE POLICY ON CONTAMINATED SITE CLEANUP – REPORT
EP06/08/18**

The agenda contained a report of 17 August 2006 from the Environment and Planning Manager. The report sought Council's direction on whether to develop a policy of assistance to any private landowner, wishing to clean up a contaminated site on private land.

Council discussed potential areas of assistance such as waiving fees at landfills for the dumping of contaminated waste.

Cr King said that he did not see that Council had any moral or any other responsibility and that an assistance package was unnecessary.

**Moved Crs Henry/Currie
CN06/08/16**

**THAT report EP06/08/018, possible policy on contaminated site cleanup be received.
CARRIED**

7 MAYOR'S REPORT

Mayor Hurley said that members of the Netherlands Royal Family will briefly visit Tasman District in November 2006.

8 MACHINERY RESOLUTIONS

**Moved Crs Bryant/Borlase
CN06/08/17**

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

COVENANTS

M and T M Ferne – RM060164 – Motueka River West Bank Road - consent to build temporary building, then permanent one, with covenant to remove kitchen facilities from temporary building once permanent built.

DEED OF LEASE

Edmonds Family Trust – proprietors 17 Croucher Street – deed of renewal of sub-lease.

Silhouette De Paris – 17 Croucher Street – deed of assignment of lease.

DEED OF VARIATION

Deed or variation of sublease – deed of assignment of sublease – Jasmine’s Company Ltd (change of ownership of Flax Restaurant – Mapua Wharf).

EASEMENTS

K J and W Weir – boundary relocation – RM050795 – Abel Tasman Drive - condition of consent for easement-in-gross for the Tasman District Council sewerline running through the property .

LICENCE

Judith Roper – licence to occupy Decks Reserve Carpark for Sunday Market expiring June 2011.

Ex Mitre 10 Site, Queen Street – licence for service lane.

VARIATION TO MEMORANDUM OF UNDERSTANDING

**MOU between Nelson City Council, Tasman District Council and Tasman Bay Heritage Trust for establishment and funding of Tasman Bays Heritage Trust.
CARRIED**

The Chief Executive said that staff will provide an explanation of the Decks Reserve carparking Sunday market licence to occupy.

9 VARROA BEE MITE UPDATE

Cr Kempthorne advised that approval of government funding for the control the varroa bee mite had been approved this week.

Councillors expressed thanks to Cr Kempthorne and Council Biosecurity staff for their work in this matter.

The Chief Executive was directed to write to the Minister and apiarists association to convey Council’s thanks for their actions.

10 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Bryant/Wilkins
CN06/08/18**

THAT the public be excluded from the following part(s) 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
10.2	Tasman Bays Heritage Trust	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	
10.2	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations	Section 7(2)(i)

CARRIED

**Moved Crs O'Regan/Inglis
CN06/08/20**

THAT the open meeting be resumed and the business transacted during the time the public was excluded be adopted.

CARRIED

Mayor Hurley thanked Councillors for their attendance and concluded the meeting at 2.30 pm.

Date Confirmed:

Chair: