

MINUTES

TITLE: Tasman District Council
DATE: Thursday 8 February 2007
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, P K O'Shea and E J Wilkins.

IN ATTENDANCE: Acting Chief Executive (L L Kennedy), Corporate Services Manager (D G Ward), Environment and Planning Manager (D C Bush-King), Resource Scientist (J T Thomas), Accounting Manager (M Staite) and Administration Officer (B D Moore).

APOLOGIES

**Moved Crs O'Regan/Kempthorne
CN07/02/01**

**That apologies from Cr Riley for absence and Cr Bryant for lateness be sustained.
CARRIED**

1. PUBLIC FORUM

Penny Griffith of Collingwood asked when the public consultation would occur regarding the Port Nelson Dividend distribution. Ms Griffith sought support for Tasman Bays Heritage Trust to ensure that:

The public users of the collections at Isele Park are identified as a community group with needs to be met;

A minimum number of hours is stated in which the Isele Park research facility and collections will be open to the public;

Material can be acquired for the collection;

Adequate conservation staffing and supplies to care for the collections;

Planning for future accommodation that will provide appropriate facilities for users of the collections.

2. CONFIRMATION OF MINUTES

**Moved Crs Henry/Inglis
CN07/02/02**

**THAT the minutes of the Tasman District Council meeting held on 14 December 2006, containing resolutions CN06/12/01 to CN06/12/19, be approved as a correct record
CARRIED**

3. ELECTED MEMBERS REMUNERATION 2007/2008 AND RULES FOR EXPENSES AND ALLOWANCES

The Acting Chief Executive spoke to report C780 of 18 January 2007 contained within the agenda and the attached rules for expenses and allowances adopted by Council on 6 May 2004. The report advised that the Remuneration Authority has provided figures for the new 2007/2008 remuneration pool as per the funding formulae and factors contained within this report. This is to come into effect as from 1 July 2007 and will cover the period 1 July 2007 to the date on which the results of the October 2007 elections are declared.

The report contained within the agenda advised that in November 2004, the Council along with the Motueka and Golden Bay Community Boards resolved to adopt Model "G" as the funding formula, to distribute the net pool to the elected members. Model "G" is based on a points allocation system and was accepted by the Remuneration Authority. Council also adopted rules for expenses and allowances and these were approved by the Remuneration Authority on 1 December 2004.

Councillors did not express any dissent for the Model "G" formula at this meeting.

**Moved Crs King/Henry
CN07/02/03**

(i) THAT Council uses the Model "G" formula to calculate the salaries from the increased pool;

2007/08 Remuneration based on Model 'G'.

The 2007/08 Remuneration Pool is \$503,578 (including Mayor's Salary of \$93,271).

Available Remuneration Pool (07/08 year)	\$410,307
Total Points	184
Point Value	\$2,229.93

	Total Points	Current Salary/ Member/Year	Proposed Salary/	Total Remuneration from Pool
4 Chairs @ 16 points	64	34,518.56	35,678.88	\$142,715.52
9 Councillors @ 12 points	108	25,888.92	26,759.16	\$240,832.44
2 Com Bd Chairs @ 4.8 points	4.8*	10,355.57	10,703.66	\$10,703.66
6 Com Bd members @ 2.4 points	7.2*	5,177.78	5,351.83	\$16,055.50
	184			\$410,307.12

*NB – Half the Community Board remuneration is outside of the remuneration pool.

(ii) That Council reconfirms its Rules for Expenses and Allowances
CARRIED

4. CITIZENSHIP CEREMONY

A citizenship ceremony was conducted for the following candidates:

J R Clifton
D E Clifton
J E Clifton
D G F Clifton
B A Gibbs
P L Herbst
E Kitney
G Marshall
M C Marshall
D C Marshall
P G Marshall
R Meikle
L K Pearson
O P Pich
U T Chea
D Chea
H L Renshaw
G B Renshaw
P W Renshaw
D H J Van Der Pol
A I Neuman
T Neuman
Y Neuman

5. DEVELOPMENT CONTRIBUTIONS POLICY AMENDMENTS

The Corporate Services Manager D G Ward and Environment and Planning Manager D C Bush-King attended the meeting and spoke to the report of 25 January 2007 contained within the agenda and the attached Development Contributions Policy which included proposed changes marked in red. Staff considered these changes minor in nature and sought that the amended policy be incorporated in Council's Draft Annual Plan for public consultation.

Cr Higgins said that funding options should be by Development Impact Levies rather than general rate. He said that the level of funding should be considered once projects are completed.

Mr Ward undertook to prepare a report identifying projects and report to a future Council or Corporate Services' meeting.

**Moved Crs Norriss/Kempthorne
CN07/02/04**

**THAT the proposed minor amendments outlined within the Development Contributions report of 25 January 2007 and contained within the Council agenda of 8 February 2007, for Council's Development Contributions Policy, be incorporated in Council's draft 2007/2008 Annual Plan for public consultation.
CARRIED**

6. MOTUEKA BUSINESS RATE

The Corporate Services Manager D G Ward spoke to his report of 22 January 2007 contained within the agenda. The report provided the background to proposed changes to the Motueka Business Rate, that will be included in the Council's draft Annual Plan. Mr Ward said that Our Town Motueka had been asked to consult directly with its members on the proposed changes that result in two rates being included in Council's draft Funding Impact Statement.

**Moved Crs King/Inglis
CN07/02/05**

THAT Council incorporates into its draft 2007/2008 Annual Plan, the following rates:

Motueka Business Rate

Council sets out a targeted rate for the purpose of promotion of the Motueka business area.

This rate is based on the capital value of each rating unit and will be set in relation to where the land is situated being the Motueka Business Rating Areas “A” and “B”. The rate (in cents per dollar of capital value) for 2007/2008 is:

Area “A” – 0.0537 (2006/2007 0.0528)

Area “B” – 0.0360 (2006/2007 0.0528)

CARRIED

7. FUNDING OPTIONS FOR LAND PURCHASE AT BEST ISLAND

The Council was referred to the report of 19 January 2007 contained within the agenda from the Corporate Services Manager. The report advised that at a Council meeting held on 1 June 2006, Council sought the preparation of a report on options to fund a loan to the amount of \$315,000.00 to buy land at Best Island for roading.

The report of 19 January 2007 recommended that funding of the loan be from the Capital Development Fund.

Councillors sought further information on this matter.

Moved Crs Higgins/O’Shea

CN07/02/06

THAT consideration of the funding options for land acquisition at Best Island be deferred until 22 February 2007 together with a report on the recovery of the Capital Development Fund.

CARRIED

8. ACTING CHIEF EXECUTIVE’S REPORT OF 24 JANUARY 2007

8.1 Local Government Fire and Rescue Services Review Project Team

Council was advised that Cr T B King is the community representative on the Local Government Fire and Rescue Services Review Project Team.

8.2 Kaumatua Appointment

This report sought Council’s confirmation on its expectations of the Kaumatua position.

Following some brief discussion from Council regarding the potential for a Kaumatua to provide guidance to Council on policy matters and strategy issues, Mayor Hurley felt that Iwi should be able to assist with the extent for potential involvement.

Mr Kennedy said that in order to provide additional guidance to Council he would obtain similar job descriptions from other councils and build on these and report back to Council.

**Moved Crs Bryant/King
CN07/02/07**

**THAT the Acting Chief Executive's report of 24 January 2007 be received.
CARRIED**

9. MAYOR'S REPORT

Mayor Hurley made a verbal report and referred to his attendance at a recent meeting in Whangarei and noted that regarding aquaculture development, planning issues are continuing to hold back progress.

The Mayor also addressed Council regarding the financial assistance ratio.

Mayor Hurley said that there is considerable opposition being expressed by local authorities regarding the Drinking Water Standards.

10. ABEL TASMAN FORESHORE SCENIC RESERVE

Mayor Hurley welcomed Neil Clifton, Nelson/Marlborough Conservator for Department of Conservation to the meeting. Mr Clifton referred to the information contained in the news release dated 24 January 2007 in this agenda and noted that the Abel Tasman Foreshore was gazetted as a Reserve on 25 January 2007.

He acknowledged the work of Cr Norriss as a member of the advisory group and thanked Council management staff Mr Dickinson, Mr Kennedy and Mr Bush-King for their assistance with this situation.

The Foreshore Reserve is to be managed under an administration committee comprised of the Tasman District Council Chief Executive and the Department of Conservation Nelson/Marlborough Conservator. Mr Clifton said that gazetting the Reserve has provided the ability for people to have concessions to operate off the Foreshore, by a Management Plan. This recognises the status quo and will manage the Park in a sustainable way, especially for day visitors.

Mayor Hurley acknowledged the work and effort carried out by Department of Conservation and said the Council looks forward to the working relationship for this reserve.

11. WAIMEA WATER AUGMENTATION AND UPPER LEE CATCHMENT UPDATE REPORT

The Chairman of the Waimea Water Augmentation Committee, Mr M King, attended the meeting with Resource Scientist J T Thomas. They addressed the Council regarding the feasibility study of the Upper Lee catchment for water storage, for long term irrigation and community supplies for the Waimea Basin. Mr Thomas provided a power point presentation and spoke on issues including key applications, key economic benefits and costs and storage details of the proposed dam site in the Upper Lee catchment. He said that the Phase 1 reports were expected to be finished by the end of February 2007.

Funding of Phase 2 investigation work was proposed to be sought over two financial years. The Waimea Water Augmentation Committee intends to develop proposals for user funding and proposed to pursue finance from the Sustainable Farming Fund.

Mayor Hurley said that Council must ensure there is a wide dissemination of information on the proposed Upper Lee catchment dam and that Council publications are used for publicity and regular reports provided to Council meetings.

12. CONFIRMATION OF USE OF COUNCIL SEAL

**Moved Crs King/Wilkins
CN07/02/08**

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

EASEMENTS

Bay Vista Developments – RM040283 – 32 lot subdivision at Bay Vista Drive, Pohara, condition of consent Easement in Gross in favour of Council for the right to drain sewage and stormwater.

McIntosh/Williams – RM040054 – 3 lot subdivision at Hiawatha Lane, Takaka, condition of consent easement in gross in favour of Council for the right to drain sewage.

D Sands – RM050940 – boundary adjustment for property in Dovedale Road, Dovedale, condition of consent easement in gross in favour of Council for the Dovedale Water Scheme.

D A and V A Shelling – RM050744 – 2 lot subdivision at 75 Lord Rutherford Road, Brightwater, condition of consent easement in gross in favour of Council for right to drain sewage.

DEEDS

Beaches & Bays – Deed of Agreement with TDC – payment of \$33,750 including GST towards cost of works for stormwater drainage carried out by Council .

Department of Conservation – Variation and Extension to Deed of Grant – for Rare Plant Re-introduction and Reinforcement Plantings on QEII covenant or protected areas of private land in Nelson region.

Department of Conservation – Final Deed of Grant of Funds – for Mapua Wetland project.

CAVEAT

L A and J J Kelly – 31 Courtney Street, Motueka – withdrawal of Caveat 302171.1
CARRIED

13. FUNDING REQUIREMENTS – AUTHORITY TO RAISE APPROVED LOANS

From the Corporate Services Managers a report of 25 January 2007 seeking Council approval to allow staff to raise approved loans.

Moved Crs Henry/Borlase
CN07/02/09

THAT:

i)		The Council shall borrow the sum of four million and two hundred and sixty four thousand seven hundred and twenty dollars (\$4,264,720) from (Bank).	
ii)		The loan documentation shall comprise the following:	
	a)	Existing deed of charge entered into between Tasman District Council, Bank of New Zealand, National Bank of New Zealand, Westpac and ASB Bank Ltd.	
	b)	A letter of offer from Westpac.	
iii)		The Mayor and the Chief Executive are authorised to sign the loan documentation on behalf of the Council.	
iv)		The Chief Executive is authorised to sign a certificate, pursuant to s122ZG(3) of the Local Government Act 1974.	
v)		The loan advance of dollars shall be used to finance the following projects identified in Council's Annual Plans:	
		\$	
		Refuse District Site developments	587,240
		Smail's Land Purchase	100,000
		Water Mapua	1,116,630

		Sewerage Brightwater Water Wakefield McGlashen Avenue/Talbot Street Water telemetry Stormwater Headingly Lane Major Drainage Control Richmond Town Centre Cattle Underpass	259,024 26,900 500,000 60,000 1,204,400 255,526 130,000 <u>25,000</u> 4,264,720
		The Council shall charge rates revenue as security for the loan and the performance of its obligations pursuant to the loan documentation.	
vii)		The Council acknowledges that by charging rates revenue, the Council is deemed to have made a special rate of such amount each year, on the rateable value of every rateable property in the district, as is sufficient to provide in that year for the payment of its commitments in respect of the loan or loan documentation during that year plus 10% thereof until the loan is repaid or the obligations incurred under the loan documentation are fully performed.	
viii)		The Council has considered the risks and benefits to the Council of the loan and loan documentation and of the security to be given in relation to the loan and loan documentation.	
ix)		The Council is satisfied that the general terms and conditions of the loan and loan documentation and of the security to be given in relation to the loan and loan documentation are in accordance with the borrowing management policy adopted by the Council and, in particular, the limits and guidelines set out in that borrowing management policy.	
x)		The Council delegates to the Chief Executive and the Corporate Services Manager the authority to further determine the precise terms and conditions of the loan, loan documentation and security, to be negotiated at the best current terms and conditions, such terms and conditions to be advised to the Council following the raising of the loan.	

CARRIED

14. RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Borlase/Currie
CN07/02/10**

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:

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
Directorship	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:

Reason to withhold information under Section 7	
Protect the privacy of natural persons	Section 7(2)(a)

CARRIED

**Moved Crs Kempthorne/Higgins
CN07/02/12**

THAT the public 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 the meeting closed at 2.30 pm.

Date Confirmed:

Chair:

