

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Thursday 6 September 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 G Bryant, S J Borlase R G Currie, E E Henry, M J Higgins, J L Inglis, R K Kempthorne, T E Norriss, E M O'Regan, N Riley and E J Wilkins.

**IN ATTENDANCE:** Chief Executive (P Wylie), Environment and Planning Manager (D C Bush-King), Corporate Services Manager (M W Staite), Community Services Manager (L L Kennedy), Policy Planner (N Jackson) and Administration Officer (B D Moore).

## APOLOGIES

**Moved Crs Kempthorne/Riley  
CN07/09/01**

**That apologies for absence from Cr O'Shea and for lateness from Cr King be sustained.  
CARRIED**

## 1. PUBLIC FORUM

Mr E L Krammer addressed the Council on which name should apply for St Arnaud and asked the Council to advise the New Zealand Geographic Board that the name change would be against the wishes of the vast majority of the property owners in St Arnaud. He tabled and read a copy of his letter of 6 August 2007 to the New Zealand Geographic Board and its response of 10 August 2007. The Board advised that the situation would be considered on 9 November 2007.

Mayor Hurley said the matter would be considered as part of his Mayor's report.

**2. CONFIRMATION OF MINUTES**

**2.1 Tasman District Council Meeting – 14 June 2007**

**Moved Crs Higgins/Borlase  
CN07/09/02**

**THAT the minutes of a meeting of the Tasman District Council held on 14 June 2007, containing resolutions CN07/06/04 to CN07/06/13, be approved as a correct record**

**CARRIED**

**2.2 Tasman District Council Special Meeting – 22 June 2007**

**Moved Crs Henry/Norriss  
CN07/09/03**

**THAT the minutes of a special meeting of the Tasman District Council held on 22 June 2007, containing resolutions CN07/06/14 to CN07/06/30, be approved as a correct record.**

**CARRIED**

**2.3 Tasman District Council Special Meeting – 25 July 2007**

**Moved Crs Inglis/Riley  
CN07/09/04**

**THAT the minutes of a special meeting of the Tasman District Council held on 25 July 2007, containing resolutions CN07/07/01 to CN07/07/02, be approved as a correct record.**

**CARRIED**

**2.4 Tasman District Council Special Meeting – 23 August 2007**

**Moved Crs Borlase/Kempthorne  
CN07/09/05**

**THAT the minutes of a special meeting of the Tasman District Council held on 23 August 2007, containing resolutions CN07/08/01 to CN07/08/02, be approved as a correct record.**

### **3. AQUACULTURE UPDATE REPORT EP07/09/14**

Environment and Planning Manager D C Bush-King spoke to his report of 30 August 2007 contained within the agenda and was assisted at the meeting by Policy Planner N Jackson. The agenda contained a letter of 23 May 2007 from the Chief Executive, Tasman District Council, to the Minister of Fisheries Honourable J Anderton outlining the Tasman District Council's concerns regarding the aquaculture industry issues.

The agenda also contained a copy of a letter dated 23 August 2007, written following the telephone conference chaired by Justice Wild regarding pending court action by the parties involved in the Tasman Aquaculture Industry. In addition, was a copy of the proposed amendments sought by Tasman District Council to the Aquaculture Reform Bill.

Mr Bush-King spoke about the ring road interim decision which had been released regarding spat catching and said that an update was expected within the following week. Mr Bush-King advised of a meeting with government officials from the Ministry of Fisheries and that this would occur on 10 September 2007. He also referred to the current application by the ring road parties for mussel farming and the pending High Court proceedings.

**Moved Crs Henry/Borlase  
CN07/09/06**

**THAT the Aquaculture Update report EP07/09/14 be received.  
CARRIED**

### **4. PORT NELSON SHARE BUY BACK**

Corporate Services Manager M W Staite spoke to his report of 24 August 2007 contained within the agenda. In his report, Mr Staite referred to the various options available to Council regarding the Port Nelson share buy back funds including repaying debt, investing or contributing to various projects, or alternatively a mixture of these options.

Mr Staite said that it was intended to report back to Council in late November.

**Moved Crs Kempthorne/Norriss  
CN07/09/07**

**THAT:**

- i) The funding requests from the Port Nelson share buy back be referred to the respective Committees for consideration as part of the 2008/2009 Annual Plan;**

- ii) **staff be instructed to report back on whether investing the share buy back will provide a better return to ratepayers than repaying debt.**

**CARRIED**

## **5. LOCAL GOVERNMENT RATES INQUIRY**

The agenda contained the Executive Summary dated August 2007 from the Local Government Rates Inquiry Panel. The Summary included a total of 96 recommendations grouped according to specific topics of the Inquiry's terms of reference.

Chief Executive P Wylie spoke to the Executive Summary and reported on the Rating Inquiry Forum held jointly between SOLGM and LGNZ on 3 September 2007. Full information from that Forum can be found on website [www.solgm.co.nz](http://www.solgm.co.nz)

The full reports regarding the local government rates inquiry are available on website [www.ratesinquiry.govt.nz](http://www.ratesinquiry.govt.nz)

Mr Wylie listed the main points from the Rating Inquiry Forum of 3 September 2007 and responded to Councillors' questions.

Cr King arrived at the meeting at 11.35 am.

**Moved Crs Kempthorne/Norriss  
CN07/09/08**

**THAT the Local Government Rates Inquiry Executive Summary and Forum report be received.**

**CARRIED**

## **6. RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Bryant/Inglis  
CN07/09/09**

**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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
Murchison Sports and Recreational Centre	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:**

<b>Reason to withhold information under Section 7</b>	
To enable the Council to carry out, without prejudice or disadvantage, commercial and industrial negotiations	Section 7(2)(i)

**CARRIED**

## **7. RESOLUTION TO RESUME OPEN MEETING**

### **7.1 Murchison Sports and Recreational Centre Media Announcement**

**Moved Crs Bryant/Currie  
CN07/09/13**

**THAT Mayor Hurley be authorised to announce a decision on the acceptance of trade tenders for construction of the Murchison Sport, Recreation and Cultural Centre.**

**CARRIED**

## **8. MACHINERY RESOLUTIONS**

**Moved Crs Norriss/Borlase  
CN07/09/14**

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

### **EASEMENT**

**St Leger Group Ltd – RM060754 – subdivision consent Hill Street, Richmond, condition for water and sewage easement in gross favour of Tasman District Council.**

**Silvan Hills Ltd – RM060251 – subdivision consent Hill Street, Richmond, condition easement in gross to Tasman District Council for right to drain water and sewer.**

**Trapdoor Properties Ltd – RM070253 – boundary relocation, Abel Tasman Drive, Takaka, surrender of easement for water pipeline.**

**Windle Bros – RM060177 – subdivision in Willow Street, Takaka – condition easement in gross to Tasman District Council for right to drain sewage.**

**Golden Bay Investments – RM050099 – subdivision Lookout Road, Parapara – partial cancellation of existing right-of-way that not required on the new lots in the subdivision.**

**B Knoeff – RM060985 – creation of ROW, Collingwood-Puoponga Road – surrender of easement required as part of change to existing ROW easement to access Kahurangi National Park.**

## **DEEDS**

**M & J Rouse Ltd – Deed of Surrender – surrender of licence for outdoor dining area at Smokehouse Café, Mapua Wharf.**

**Mapua Smokehouse Ltd – Deed of Renewal & Variation of Lease – renewal of lease of Shed at Mapua Wharf.**

**P J & P D Langmuir – Deed or Renewal – renewal of contract to manage Collingwood Camping Ground for term of one year.**

**Goldflash Ltd – Deed of Assignment of Sublease – part of Motueka Museum for use as café.**

**M & J Rouse – Deed of Assignment of Sublease – sublease to Paris Partners, Shed 2, Mapua Wharf.**

**Paris Partners Ltd – Deed of Assignment of Sublease – sublease to Deji Ltd, Shed 2, Mapua Wharf.**

**M & J Rouse – Deed of Assignment of Sublease – sublease to Paris Partners, Shed 3, Mapua Wharf.**

**Paris Partners Ltd – Deed of Assignment of Sublease – sublease to Deji Ltd – Shed 3, Mapua Wharf.**

**Morepork Dart Club – Deed of Licence – renewal of licence to occupy premises on council land at Ben Cooper Park, Richmond.**

## **CAVEAT**

**J & M McManaway – VRN 1955031630 – Withdrawal of Caveat for granny flat, as flat is now on separate title.**

## **MISCELLANEOUS**

**N P & S J Nalder – Transfer Instrument – TDC purchase of land for water supply purposes at Collingwood.**

**J D & C O McLellan – Release of Registered Statutory Land Charge – Block VII Aorere Survey District, NL9B479.**

**Tasman Bays Heritage Trust – Statement of Intent**

**Port Nelson – Statement of Corporate Intent 2007/2008**

## **COVENANT**

**Fonterra Ltd – RM060122 – Section 220 covenant holding land parcels together as part of a subdivision consent – Motupipi Street, Takaka.**

**R & S Giles – RM070184 – consent to relocate building on property in Queen Victoria Street, Motueka, covenant to ensure building not enlarged or converted or used for other purposes.**

**W & A Hill – RM070618 – consent to erect second dwelling on property at Pretty Bridge Valley Road, Belgrove – covenant restricting use of dwellings.**

**Nimbus Family Trust – RM040492V2 – to vary existing covenant to allow cottage to remain permanently on site at Brooklyn Valley Road, Brooklyn, regardless of ownership of land.**

**D & R Weak – RM060334 – temporary accommodation of farm shed while new house is built, such shed to be converted back to accessory building, on State Highway 60, Takaka Hill.**

## **AGREEMENTS**

**Tasman District Council & Viewforth Ltd – Parking agreement for TDC use of El Taverna carpark.**

## **CARRIED**

## **9 MAYOR'S REPORT**

Mayor J C Hurley spoke to his report of 5 September 2007.

### **9.1 Regional Affairs Committee**

Mayor Hurley said that at the Regional Forum, the Ministry of Transport Honourable A King attended and outlined in greater detail the Next Steps Programme, including makeup of the Regional Land Transport Committee.

### **9.2 Commerce Nelson Tasman Meeting**

Mayor Hurley referred to the attendance of the Minister of Local Government Honourable M Burton at this meeting to provide an update on central/local government issues.

### **9.3 St Arnaud Naming**

Mayor Hurley sought that Council obtain additional information on the St Arnaud naming issues.

**Moved Crs Kempthorne/Higgins  
CN07/09/15**

**THAT a report be sought from the Community Services Manager, to advise Council on the issues surrounding the naming of St Arnaud.  
CARRIED**

Mr Wylie suspected that the New Zealand Geographical Board is under the impression that the Rotoiti District Community Board is an elected Community Board of Tasman District.

Mayor Hurley thanked members for their attendance and closed the meeting at 1.50 pm.

Date Confirmed:

Mayor: