

MINUTES

TITLE: Tasman District Council
DATE: Thursday 14 February 2008
TIME: 1.00 pm
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Mayor R G Kempthorne (Chair), Crs T B King (Deputy Mayor), S J Borlase, S G Bryant, R G Currie, B F Dowler, J L Edgar, B W Ensor, M J Higgins, J L Inglis, T E Norriss, N Riley and E J Wilkins.

IN ATTENDANCE: Chief Executive (P J Wylie), Corporate Services Manager (M W Staite), Community Services Manager (L L Kennedy), S Ritchie (Solicitor), Accounting Manager (R G Holden) and Administration Officer (B D Moore).

APOLOGIES

Moved Crs Borlase/Riley
CN08/02/01

THAT apologies from Cr Glover for absence be sustained.
CARRIED

1. PUBLIC FORUM

Ms P Griffith of Collingwood spoke of her concern that there appeared to be a lack of public forum opportunities available at the advertised council meetings.

Golden Bay Community Board Chairman J Bell spoke in opposition of the item on today's Council Agenda that recommended the intention to fund the operating costs associated with the community boards by way of a targeted rate within its ward, be included in the draft Annual Plan.

Mr Bell provided copies of his speech to Council members.

Golden Bay Community Board member C McLellan also opposed the potential for council to apply a targeted rate to community board wards as an Annual Plan item.

Golden Bay Community Board member L Gamby also opposed the proposed targeted rate for community boards being included in the Annual Plan.

Motueka Community Board Chairman D Ogilvie expressed disappointment at Council's proposal and that it had the potential to divide the people of the community and interrupt the partnership between the community board and the Council.

Motueka Community Board member D Eddy reminded Council of the Standing Orders' requirements for the reports for agenda and LTCCP content.

2. TASMAN BAYS HERITAGE TRUST FUNDING

A report of 6 February 2008 report from Corporate Services Manager Mr Staite was contained with the agenda and provided a recommendation from the Combined Shareholders Group meeting of December 2007, that each council include funding for depreciation for the Tasman Bays Heritage Trust short-life assets with the provision of \$88,500.00 in each council's draft Annual Plan.

Mr Staite responded to Councillors' questions and advised that this is an ongoing funding situation, plus inflation, in addition to what was funded in the previous financial year.

Mayor Kempthorne explained the proposed additional funding would allow the Tasman Bays Heritage Trust to build up a maintenance account. He said that short term replacement would include the computer system and air conditioning.

**Moved Crs King/Norriss
CN08/02/02**

**THAT Council makes provision for \$88,500.00 in its draft 2008/2009 Annual Plan, to allow the Tasman Bays Heritage Trust to fund depreciation of short-life assets.
CARRIED**

3. CITIZENSHIP CEREMONY

The following new citizens were presented with New Zealand Citizen Certificates:

Mr Liam William Hadyn Adams
Mrs Saffron Jane Adams
Master Sam Haydn Adams
Miss Jessica Caitlin Adams
Miss Nicola Claire Foreman
Mr Martin George Howard
Mrs Amy Elizabeth Keeler-Cornelisen
Dr Christopher David Cornelisen
Master Zachary Garrick Cornelisen
Mr William Von Ruti Meyer
Mrs Claire Josephine Meyer
Miss Frances Marie Von Ruti Meyer
Master William Mathew Von Ruti Meyer
Miss Elizabeth Claire Von Ruti Meyer
Mr Jason Harry Preller

Mrs Alison Wendy Preller
Miss Kaylie Lauren Preller
Miss Nichole Danielle Preller

4. TARGETED RATE FOR COMMUNITY BOARDS

Corporate Services Manager M Staite spoke to his report of 6 February 2008 contained within the agenda. The report included costs of running both the Golden Bay and Motueka Ward Community Boards. The report noted that Council has the power to set a targeted rate under Section 16 of the Local Government (Rating) Act 2002 and that Council had obtained a legal opinion from Fletcher Vautier Moore confirming the legality of a community board targeted rate.

Mr S Ritchie, Solicitor, of Fletcher Vautier Moore, confirmed that Council has the power to set a targeted rate when providing goods and services. He said that a legal opinion from Mr W Heal and also Simpson Grierson contained nothing that changes his view of the targeted rating issue.

Accounting Manager R G Holden confirmed that at least four other councils had recently responded to a local government online question that the targeted rate process is being used in other territorial local authorities in regards to costs for community boards.

Chief Executive Mr Wylie referred to page 88 of the Annual Plan which stated that, as a result of a submission received during the 2007/2008 Annual Plan process, Council is considering introducing a targeted rate to cover the operating costs of the Golden Bay and Motueka Community Boards. Mr Wylie tabled, read and explained an amended recommendation regarding the issue.

Mayor Kempthorne reminded the Council that the motion is for including the targeted rate in the Annual Plan to allow the democratic process of public submissions and public consultation. He said this would allow the whole community to subject the issue to public debate.

Mayor Kempthorne allowed all Councillors to express their views on the subject.

**Moved Crs King/Currie
CN08/02/03**

THAT:

- i) The report of 6 February from Murray Staite be received, and that the intention to fund the operating costs associated with the Golden Bay and Motueka Community Boards, by way of a targeted rates within each ward, be included in the draft Annual Plan for 2008/2009.**
- ii) Council notes that the current scale of operation of the Community Boards would require the Council to include in its draft 2008/2009 Annual Plan and Funding Impact Statement a rate of \$45.36 (inc GST) per**

rateable property for the Golden Bay Ward and \$29.86 (inc GST) per rateable property for the Motueka Ward.

- iii) Council requests the Chief Executive to consult with both Boards as to how community boards could reduce operating costs and to report back to the Council meeting of 6 March 2008, any amendments to the quantum of costs and the revised target rate requirement, in order that Council can confirm the final figures to be included in the draft Annual Plan for 2008/2009 to be published and available for consultation by 11 April 2008.
- iv) Council declines to support any requests for a declaratory judgement as to the legality of target rates to cover community board operating costs.

Cr Wilkins called for voting to be by division.

Cr Borlase	Against
Cr Bryant	For
Cr Currie	For
Cr Dowler	Against
Cr Ensor	For
Cr Edgar	For
Cr Higgins	For
Cr Inglis	Against
Mayor Kempthorne	For
Cr King	For
Cr Norriss	For
Cr Riley	Against
Cr Wilkins	Against

CARRIED

Mayor Kempthorne noted the staff to consult with community boards and report back to Council on 6 March 2008 should include the Chief Executive and Managers of Community Services and Corporate Services.

Mayor Kempthorne thanked members for their attendance and closed the meeting at 4.00 pm.

Date Confirmed:

Mayor