

MINUTES

TITLE: Tasman District Council
DATE: Thursday 30 October 2008
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Mayor R G Kempthorne (Chairman), Crs T B King (Deputy Mayor), S J Borlase, S G Bryant, R G Currie, B F Dowler, B W Ensor, G A Glover, 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), Environment & Planning Manager (D C Bush-King), Strategic Development Manager (S Edwards), Accounting Manager (R Holden), Financial Accountant (B Grammer), Administration Officer (B D Moore).

APOLOGIES

**Moved Crs Currie/Higgins
CN08/10/05**

**THAT apologies from Cr Edgar for absence and Cr Bryant for lateness be sustained.
CARRIED**

1. PUBLIC FORUM

Cr Norriss referred to the process of tendering for school bus services saying that one operator in Murchison and one in Motueka had lost contracts with the Ministry of Education. He said that 70% of school bus contracts throughout the country have been awarded to two companies. Cr Norriss tabled information on the subject and asked for Council to lend its support to this issue.

Mr P Foster asked that Council reconsider the targeted rates for community boards and correct this situation next financial year and establish better relations with community boards.

Mr G Anderson sought Council support for the purpose of celebrating the 350th anniversary of Abel Tasman's death by way of activities which would occur in October 2009. Ms P Griffith also supported the 350th Abel Tasman anniversary asking the Council to decide and clarify its role in the matter.

Mr D J Ogilvie spoke on the subject of targeted rates for community boards and asked Council to consider the ethics and morality of continuing with the targeted rate and asked Council to rescind its decision.

Cr N Riley spoke about an email message he had received from the Chairman Golden Bay Community Board on the issue of targeted rates for community boards and sought that Council rescind its decision to apply a targeted rate for community boards.

2. CITIZENSHIP CEREMONY

A Citizenship Ceremony was conducted for the following candidates:

Mr Timothy John Blackmore
Mr Hans-Joachim Bremm
Mr Simon Frederick Bruce-Miller
Mrs Victoria Michelle Bruce-Miller
Mrs Christine Cleary
Mr Gary John Cleary
Mr Stuart Franklin
Mrs Kathryn Franklin
Mr Andrew Marshall Fraser
Mrs Tina Fraser
Mr Jeffrey Michael Gardner
Mrs Samantha Jane Gardner
Ms Leslie Mary Jones
Ms Wanju Kay Kim
Mr Juni Juyeon Lee
Mr Vernon Clive Mercer
Mrs Barbara Leslie Mercer
Miss Susan Elizabeth Parry
Mr Richard Mark Potepa
Ms Nancy Lynn Roberge
Mrs Janet Julia Rolfe
Mr Ronald Schepers
Mr Philip Andrew Ward

3. CONFIRMATION OF MINUTES

3.1 Tasman District Council Meeting – 18 September 2008

**Moved Crs Riley/Wilkins
CN08/10/06**

**THAT the minutes of a meeting of the Tasman District Council held on 18 September 2008, containing resolutions CN08/09/01 to CN08/09/11, be approved.
CARRIED**

3.2 Tasman District Council Meeting – 16 October 2008

**Moved Crs Higgins/Borlase
CN08/10/07**

**THAT the minutes of a meeting of the Tasman District Council held on 16 October 2008, containing resolutions CN08/10/01 to CN08/10/04, be approved.
CARRIED**

4. NZ PIPFRUIT INDUSTRY PRESENTATION

Mr I Palmer made a presentation to Council on the regional economic impact of the Pipfruit Industry in the Nelson area and commented on the pipfruit industry nationally.

Cr Bryant arrived at 11.15 am during this presentation.

Mr Palmer responded to Councillors questions and addressed the subject of employment and remuneration within the industry.

5. ADOPTION OF TASMAN DISTRICT COUNCIL 2008 ANNUAL REPORT

Corporate Services Manager, M W Staite, referred to his report of 22 October 2008 and said that the Audit Subcommittee had considered the draft 2008 Annual Report at its meeting on 9 October 2008 and recommended that it be adopted for audit. Mr Staite outlined the changes and amendments that had occurred to the draft 2008 Annual Report. He thanked staff members, R Holden and B Grammer, for their work and input into this report.

Mr S Tobin of Audit NZ was present at this meeting and said that Council would receive an unqualified audit report and that the Tasman District Council 2008 Annual Report had been provided to a high standard. Mr Tobin confirmed that Council's underlying systems and processes are satisfactory and functioning correctly.

**Moved Crs Norriss/Glover
CN08/10/08**

**THAT the Tasman District Council 2008 Annual Report be adopted.
CARRIED**

6. MAYOR'S REPORT FOR OCTOBER 2008

The agenda contained the Mayor's written report of 24 October 2008.

**Moved Crs Norriss/Glover
CN08/10/09**

**THAT the Mayor's report for October 2008 be received.
CARRIED**

**7. REQUEST TO RESCIND TARGETED RATE APPLYING TO
ADDITIONAL COSTS OF OPERATING MOTUEKA AND GOLDEN
BAY COMMUNITY BOARDS**

The Chief Executive, Mr Wylie, spoke to his report of 23 October 2008 contained within the agenda. He referred to how Council established, within the 2008/2009 Annual Plan, a targeted rate of \$12.50 per rateable property within the Motueka Community Board area and \$19.23 per rateable property within the Golden Bay Community Board area.

Mr Wylie referred to the recommendations produced by the Local Government Commission in July 2008 and the relevant rating legislation. The Chief Executive's report referred to the lack of justification for removing the targeted rate and that further submissions on the issue could be considered during the 2009/2010 Annual Plan submission process which will commence in March 2009. The report recommended that the request to rescind the targeted rate for community boards, be declined.

Cr Norriss noted that Council funds \$14,560 of community board costs from the district wide general rate.

Cr Riley expressed opposition to the targeted rates saying that community boards should be funded entirely across the district from the general rate.

Cr Borlase said it was impractical to rescind the targeted rate at this time.

Cr Wilkins said she considered that setting targeted rates for community boards was a mistake by Council.

Cr Norriss acknowledged that a petition in opposition from ratepayers within community boards had been received.

**Moved Crs King/Norriss
CN08/10/10**

THAT the request from the Golden Bay Community Board and Motueka Community Board, that the Council rescind its decision of 26 June 2008, to set

a targeted rate to cover the additional costs of operating community boards in the Golden Bay and Motueka Ward areas, be declined.

Voting was by division:

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

CARRIED

8. MOTUEKA AIRPORT – DRAG RACING MEMORANDUM OF UNDERSTANDING

The agenda contained a report of 24 September 2008 from Cr Norriss, together with a copy of a memorandum of understanding between Nelson Drag Racing Association and Motueka Aviation Users, for the purpose of conducting drag racing meetings. The draft memorandum of understanding was provided subject to Council approval. A licence to occupy would be issued by Council and the rental figure was yet to be established.

Cr Higgins said that the issue had been referred to the Council Enterprises Subcommittee and that Cr Norriss undertook the task of meeting with the Nelson Drag Racing Association representatives and representatives of the Motueka Aviation Users. The Council Enterprises Subcommittee will discuss the issue further.

Cr Norriss advised that the annual review of the licence to occupy will consider both renewal or termination and conditions of use. He said that the situation is dependent on the renewal, of the Nelson Drag Racing Association's resource consent RM080583.

**Moved Crs Norriss/Currie
CN08/10/11**

THAT Council agrees to the memorandum of understanding, as a basis for the issue of a new licence-to-occupy for the Nelson Drag Racing Association at Motueka Aerodrome, subject to annual review and the granting of the Nelson Drag Racing Association's resource consent (RM080583).

CARRIED

9. RESULTS OF THE COMMUNITRAK RESIDENT'S SURVEY AND PERMITS AND CONSENTS HOLDERS SURVEY

Strategic Development Manager, S Edwards, and Environment & Planning Manager, D C Bush-King, spoke to their report of 7 October 2008 and responded to Councillors' questions. The survey was carried out by the National Research Bureau and it is intended that a survey of resident's views on a range of services delivered by the Council will be carried out annually from now on. It was noted that Councillors will be provided with an electronic copy of the resident's survey.

**Moved Crs Bryant/Borlase
CN08/10/12**

THAT the Tasman District Council notes:

- 1 The contents of the survey report of 7 October 2008;**
- 2 The results of the Communitrak Residents Survey;**
- 3 The results of the Permit and Consent Holder's Survey.**

CARRIED

10. MACHINERY RESOLUTION

**Moved Crs Bryant/Currie
CN08/10/13**

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

EASEMENT

Echo Park Trust – RM070339 – easement in gross to TDC for right to drain sewage.

J S & E A Freeman – RM030347 – easement in gross to TDC for right to drain water over Council esplanade reserve.

TDC sewer pump station site – grant of easement – Motupipi Street, Takaka

LAND EXCHANGE

Diana Mellor & TDC – Waimea West Recreation Reserve land exchange

TRMP

Approval of operative parts 1 & 2

BYLAW

2008 Amendment to Traffic Control Bylaw

DEEDS

Baily/Kennedy – lease surrender instrument – 17 North Street, Motueka

Vodafone – 52002CL1 – variation of lease

North Street Development – 41003L1 – surrender of lease

MWH – 10001L1 – renewal of lease for office at Golden Bay

COVENANT

C & K Gould – RM080050 – amalgamation covenant to ensure parcels of land held in same title.

LICENCES

TDC & Seifried – licence to lay pipeline (water) under TDC road.

AGREEMENT

Viewforth Ltd – car parking agreement – Eltaverna – TDC car parking

CAVEAT

Wakefield Community Health – consent to caveat – register a mortgage with TDC's approval/agreement

CARRIED

11. RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Ensor/Wilkins
CN08/10/14**

THAT the public be excluded from the following part(s) of the proceedings of this meeting:

Director Appointments

The general subject of the matters to be considered 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
Director Appointments	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	
To enable the Council to carry out, without prejudice or disadvantage, negotiations	Section 7(2)(i)

CARRIED

12. RESOLUTION TO RESUME OPEN MEETING

**Moved Crs Wilkins/King
CN08/10/15**

THAT the public meeting be resumed and the business conducted during the time the public was excluded, be adopted.

CARRIED

Mayor Kempthorne thanked members for their attendance and closed the meeting at 1.20 pm.

Date Confirmed:

Mayor: