

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Thursday 29 January 2009  
**TIME:** 9.30 am  
**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, 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), Environment & Planning Manager (D C Bush-King), Corporate Services Manager (M W Staite), Engineering Manager (P Thomson), Utilities Asset Manager (C Cuthbertson), Strategy Manager (S Edwards) and Administration Officer (B D Moore).

## **1 PUBLIC FORUM**

### **1.1 Golden Bay Medical Centre Community Trust**

Trust representatives H Holmwood, T Harley and J Waugh spoke in support of the Trust retaining and investing for Golden Bay Medical Purposes, the realised value of the sale of the Golden Bay Medical Centre assets.

## **2 TUNZA CHILDREN'S WORLD ENVIRONMENT CONFERENCE – M CHANDLER**

M Chandler made a presentation to Council to describe the activities during his attendance at this conference in Norway in June 2008 where the theme was "creating change".

## **3 CONFIRMATION OF MINUTES**

### **3.1 Extraordinary Council Meeting – 11 December 2008**

**Moved Crs Norriss/Borlase  
CN09/01/01**

**THAT the minutes of the Extraordinary Council meeting held on 11 December 2008, containing resolutions CN08/12/01 to CN08/12/03, be approved as a correct record.**

### **3.2 Council Meeting – 17 December 2008**

**Moved Crs Glover/Riley  
CN09/01/02**

**THAT the minutes of the Tasman District Council meeting held on 17 December 2008, containing resolutions CN08/12/05 to CN08/12/20, be approved as a correct record.**

**CARRIED**

#### **4 MAYOR'S REPORT**

Mayor Kempthorne made a presentation on his Queensland Study visit of September 2008. The Mayor's report contained within the agenda provided an outline of mayoral activity during December 2008 and January 2009 with a summary of the Mayor's discretionary fund expenditure from 1 July 2008 to 31 December 2008.

**Moved Crs Currie/Edgar  
CN09/01/03**

**THAT the Mayor's Report of 21 January 2009 be received.  
CARRIED**

#### **5 CONTROL OF LIQUOR – WAKEFIELD DOMAIN ANNUAL FIREWORKS GALA**

The agenda contained a recommendation from Regulatory Services Coordinator, G Caradus, to prohibit the consumption of liquor in the Wakefield Domain during the running of the annual fireworks gala by the Wakefield Volunteer Fire Brigade on Saturday 18 April 2009 or alternatively Sunday 19 April 2009.

**Moved Crs King/Higgins  
CN09/01/04**

**THAT pursuant to the powers conferred by clause 7.1 of the Tasman District Council Consolidated Bylaw Chapter III: Control of Liquor in Public Places: December 2007, that Council resolves to:**

- 1 Prohibit the consumption of liquor in the Wakefield Domain between the hours of 2.00 pm in the afternoon until 10.30 pm on Saturday 18 April 2009, or at the same location and times on Sunday 19 April 2009 if weather is not favourable on 18 April; and**
- 2 In conjunction with the prohibition defined in paragraph 1 of this resolution, prohibit the presence or use of any vehicle at the Wakefield Domain for the duration of the prohibition.**

**CARRIED**

#### **6 GOLDEN BAY MEDICAL CENTRE**

Manager Property Services, J K Frater, spoke to his report of 20 January 2009 contained within the agenda about a proposal to sell the Golden Bay Medical Centre and to clarify the ownership of the property. This report was provided in response to Council resolution CN08/05/08. The report detailed the submissions received following the publication of Council's intention to sell the Golden Bay Medical Centre property.

The Chief Executive responded to questions from Councillors and confirmed that Council has legal title to the land on which the Golden Bay Medical Centre is located. He said that Council has completed the notice of intention process, subject to the items outstanding in the recommendation within this report.

**Moved Crs King/Currie  
CN09/01/05**

- 1 That the report on the Golden Bay Medical Centre dated 20 January 2009 be received.
- 2 That Council confirms that it is not willing to pass ownership of the Golden Bay Medical Centre property to the Golden Bay Medical Centre Community Trust.
- 3 That Council agrees to the request from the Golden Bay Medical Centre Community Trust that the medical centre property be offered for sale subject to:
  - Agreements being sought and obtained with any existing tenants and the Golden Bay Medical Centre Community Trust and the St John Ambulance regarding their improvements.
  - Agreement being reached with the Golden Bay Medical Centre Community Trust on the retention of the residence for use as a doctor's residence or similar use.
  - Possession and settlement date to occur after any new medical facility is operational.
  - If agreement is not reached with the Golden Bay Medical Centre Community Trust, that the matter be reported back to Council.

These actions to be delegated to the Chief Executive and Manager Property Services.

- 4 That subject to the issues in "3" being satisfactorily resolved the net proceeds of any sale after deduction of subdivision expenses, sale expense, value of other improvements etc be made available to the Golden Bay Community for; either:
  - the construction of a new medical centre; or
  - the construction of a new integrated health facility.

With a report and recommendations on the allocation of the net proceeds to be brought to Council at a later date.

**CARRIED**

## **7 TREASURY MANAGEMENT POLICY ADOPTION**

Corporate Services Manager, M W Staite, referred to the Treasury Management Policy document of 19 November 2008 contained within the agenda and referred to key changes made since the document was last referred to Council in November 2008.

**Moved Crs Edgar/Glover  
CN09/01/06**

**THAT the Treasury Management Policy of 19 November 2008 be adopted for inclusion in Council's 2009/2019 Long Term Community Plan.  
CARRIED**

**8 TORRENT BAY SAND REPLENISHMENT RATE**

Corporate Services Manager, M W Staite, spoke to his report of 14 January 2009 contained within the agenda with a proposal to set a targeted rate for beach sand replenishment within two defined rating areas of the Torrent Bay Township. The report advised that Torrent Bay landowners had been notified and that 50% of the cost of works would be covered by the general rate, 25% by the 12 directly affected foreshore properties and the balance from the other 40 Torrent Bay properties.

Cr Edgar advised of a correction required so that Area B rate would be \$321.14 plus GST.

**Moved Crs King/Norriss  
CN09/01/07**

**THAT Council incorporates into its draft 2009/2019 LTCCP, the following rates:**

**Council sets a rate for the purpose of reinstating and maintaining the beach at Torrent Bay. This rate will be set on a uniform basis of each rating unit and will be set in relation to where the land is situated, being the Torrent Bay Beach replenishment areas "A" and "B". The rate per unit for 2009/2010 is:**

**Area "A" - \$1,070.47 plus GST**

**Area "B" - \$321.14 plus GST**

**CARRIED**

**9 DEVELOPMENT CONTRIBUTIONS POLICY AMENDMENT, REPORT  
EP09/01/05**

Environment & Planning Manager, D C Bush-King, spoke to his report of 24 December 2008, contained within the agenda and the annexed Amended Council Development Contributions Policy document. He said that this proposal is a shift to a district wide development contribution. He said it was proposed to introduce a bond which a developer can enter into as a means of deferring payment subject to paying interest.

Cr Bryant expressed opposition to the proposal seeking to charge on a percentage basis, especially where lower section values are involved. Mr Wylie said that although reserve levies are based on a percentage, the law does not allow a percentage to be used for other development contributions. A full copy of the revised policy was contained within this meeting agenda annexed to this report.

**Moved Crs Norriss/Ensor  
CN09/01/08**

**THAT Council agrees to amend the development contribution policy and that the revised policy as outlined in Annex 1, be incorporated into the 2009/2019 LTCCP, for public consultation under the Local Government Act 2004 Special Consultative Procedure.  
CARRIED**

## **10 TOURISM RATE PROPOSAL**

Mr Staite spoke to his report of 14 January 2009 which sought that Council considers imposing a tourism rate to fund all or part of its share of Tourism Nelson Tasman Limited. Mr Staite said that the proposal is subject to a cost report and the construction of a database of benefiting ratepayers for the tourism industry. The report stated that the introduction of a targeted rate, for the private portion of the Tourism Nelson Tasman Limited funding, is consistent with that policy and with the views expressed in the recent rates enquiry.

**Moved Crs Glover/Inglis  
CN09/01/09**

**THAT Tasman District Council agrees in principle to the imposition of a tourism rate in the draft 2009/2019 Long Term Council Community Plan, subject to a separate report on cost.**

**CARRIED**

## **11 AMENDMENT TO THE POLICY ON REMISSIONS OF EXCESS METERED WATER RATES**

Utilities Asset Manager, J Cuthbertson, spoke to a proposed amendment to Council's policy on remission of excess metered water rates. The policy objective is to provide relief to ratepayers, who have excessive metered water rates, due to a leak in the property internal reticulation and to encourage ratepayers to get all leakage repaired promptly.

Mr Cuthbertson explained in his report that the change in this policy endeavours to try and limit remissions to pipework directly between the dwelling and the point of supply where the water meter is located.

**Moved Crs King/Borlase  
CN09/01/10**

**THAT the proposed policy on remission of excess metered water rates be included in the Tasman District Council 2009/2019 LTCCP.**

**CARRIED**

## **12 SERVICE ACTIVITY CONTRIBUTION MAPS**

Utilities Asset Manager, J Cuthbertson, referred the committee to the service activity contribution maps that have been reviewed and revised to align with the proposed 2009/2019 LTCCP. These amended maps were included within the agenda.

**Moved Crs King/Norriss  
CN09/01/11**

**THAT the service activity contribution maps for wastewater, water and stormwater, be included in the Tasman District Council's 2009/2019 Long Term Council Community Plan.**

**CARRIED**

### **13 NEW TARGETED RATES FOR DRAFT LTCCP**

Engineering Manager, P Thomson, spoke to his report of 21 January 2009 about new targeted rates for engineering activities. These major activities include the Lower Motueka River stop bank reconstruction, the Motueka urban water supply and the Takaka town centre fire fighting water supply. The Torrent Bay sand replenishment rate had been covered in a separate report.

**Moved Crs Riley/Dowler  
CN09/01/12**

**THAT the funding impact statement for the 2009 draft LTCCP include the new targeted rates set out in the report of 21 January 2009 reference A503-3, for the capital projects Lower Moutere River stop bank reconstruction, Motueka new urban water supply, and Takaka new town centre fire fighting water supply, as per the rating area maps and that consultation with affected property owners be conducted.  
CARRIED**

### **14 FEES AND CHARGES SCHEDULE**

The schedule of fees and charges for inclusion in the draft 2009/2009 LTCCP was included in the agenda. The Environment & Planning Manager and Engineering Manager outlined the changes to fees and charges as they related to those departments. Mr Bush-King recommended the deletion of a separate fee for the discharge of alternatives to oil on roads. Mr Bush-King said that some fees follow the special consultation process but the Local Government Act allows setting charges as a commercial operator.

It was noted that Council can review these fees and charges by resolution.

**Moved Crs Norriss/Riley  
CN09/01/13**

**THAT the schedule of fees and charges be included in the draft 2009/2019 LTCCP.  
CARRIED**

### **15 FACILITIES OPERATING RATE**

The report of 20 January 2009 from the Community Services Manager sought consideration of the proposal to set a targeted rate for facilities operating costs, covering the total Tasman District. The report said that in the 2009/2010 year, the facilities operating rate would be \$21.70 being the total operating costs divided by the number of rateable properties. This rate would increase to approximately \$26.29 in the year 2011/2012 with the completion of the Motueka swimming pool.

**Moved Crs Glover/Wilkins  
CN09/01/14**

**THAT the Tasman District Council:**

- 1 Incorporates into its draft 2009/2019 LTCCP, a rate for the purpose of meeting the annual operating costs of Council owned facilities, funded from the facilities rate. This rate will be set on a uniform basis over the whole district, however the Golden Bay Ward will be exempt from this rate until a new**

community facility is completed in the Golden Bay Ward. The rate per rating unit for 2009/2010 is \$21.70 plus GST;

- 2 Agrees to discontinue the ASB Bank Aquatic Centre operational rate with effect from 1 July 2009.

**CARRIED**

## **16 MACHINERY RESOLUTIONS**

**Moved Crs Bryant/Edgar  
CN09/01/15**

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

### **DEEDS OF LEASE**

Remote Adventures – 11103L5 – hangar lease at Takaka Aerodrome

### **DEEDS OF LICENCE**

Scouts – 31939L4 – 5 year lease of Recreation Reserve land at Mapua Domain for Scout owned den to site.

Takaka Drama Society – 11935L3 – 5 year term to lease area at Takaka Recreation Park.

### **COVENANT**

M G & H G Pullan and R W and A H Hooper – RM080669 – covenant for second dwelling on property to ensure no future subdivision and for use by family members only.

D M & P M Virgin – RM080306 – covenant for second dwelling to ensure no future subdivision use.

### **EASEMENTS IN GROSS**

E J & D Bongers – RM070828 – easement for access over Council Local Purpose (Road) Reserve.

Lynne Ehau – RM940569 – easement in gross in favour to Council for right to drain stormwater.

Motueka Builders Ltd – RM030707 – easement in gross in favour of Council for right to drain water and sewer.

Shirley Roeske Family Trust – RM060623 – easement in gross in favour of Council for right to drain water.

The Lakes at St Arnaud – RM040785 – easement in gross in favour of Council for right to drain sewage.

## **MISCELLANEOUS**

Port Nelson – Statement of Corporate Intent 2008/2009

### **CARRIED**

#### **17                   UPDATED TARGET RATING AREA MAPS FOR ENGINEERING ACTIVITIES**

Utilities Asset Manager, J Cuthbertson, referred Council to the updated target rating area maps contained within the agenda and responded to questions.

**Moved Crs Borlase/King  
CN09/01/16**

**THAT Council approves the inclusion of the wastewater urban drainage area, stormwater urban drainage area, water supply area, refuse/recycling rating area and Mapua stop bank rating area maps into the 2009/2019 draft LTCCP.**

**CARRIED**

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

Date Confirmed:

Mayor: