

MINUTES

TITLE: Golden Bay Community Board
DATE: 8th July 2008
TIME: 9.03 am
VENUE: GB Service Centre Meeting Room

PRESENT: J Bell (Chairperson), C McLellan (Deputy Chair), and Board members L Gamby and K Brookes

IN ATTENDANCE: Cr S Borlase, J Frater (Manager Property Services), N Heyes (Minute Secretary) and members of the Press and Public

1. APOLOGIES

**Moved Board members McLellan/Gamby
GB08/07/01**

**THAT the apology from Cr N Riley be sustained.
CARRIED**

**Moved Board members Gamby/Brookes
GB08/07/02**

**THAT Cr Borlase be granted speaking rights.
CARRIED**

The Chairperson said he had, without prejudice, withdrawn his report that went out with the Agenda and the meeting would be discussing his amended report.

2. PUBLIC FORUM

Penny Griffith – expressed concern regarding the apparent erosion of the democratic process regarding the Grace Church Headingly Centre prior to it withdrawing its funding application following negative publicity. Ms Griffith considered the lack of consultation and openness regarding this application, and the negative comments in the media about those who had raised concerns to be unhelpful.

Peter Foster – reported that Whakatane District Council has banned vehicles from its beaches apart from those that are launching boats; the bylaw is now effective. Vehicles launching boats must use signposted access points at certain times of the day.

The Chairperson considered the institution of that bylaw would be helpful to the GB Community Board in taking the matter forward here. He said the Far North District

Council is also investigating it and also that the 'Herald' had run a poll which showed 49% of people want a total ban, and a further 42% want vehicles under control.

Jo-Anne Vaughan – had sought more delegations to the Board in her submission to the Draft Annual Plan and had been asked by one of the councillors to send an email as to what she thought the delegations should be in Golden Bay. Mrs Vaughan said with the targeted rate now in effect and the uncertainty of how the Board will be charged for its work, she does not think she can go ahead with the task. Mrs Vaughan said the Local Government Commission determination said community boards should have delegations.

The Chairperson explained the Board did not know how the charges would work and that the Corporate Services Manager, Murray Staite, has been asked to provide monthly details of expenditure so the Board can see what is being charged against it. He said until the first one is received the Board will not know these details.

Cr Borlase suggested that being on a targeted rate perhaps would lower costs for the Board. He said Council is not charged for the Board being here - the ratepayers are, and perhaps it would make a stronger case for delegations.

The Chairperson said the Board has given suggestions as to what the delegations should be but there has been no favourable response to date.

The Board did not consider that the matters of a targeted rate and delegated authority should be considered together – they should not be dependent on each other. 'Delegation' means work being done by someone being delegated to someone else to do. Costs should at least be neutral or achieve a cost saving if the delegations are appropriate.

Board member Gamby – said he had received a letter from Jan Morganti of Bay Vista Drive, regarding the urban drainage area issue. Mrs Morganti has no stormwater connection to a piped system but her charges for that have gone from \$21 in 2006 to \$265 in 2007. She said her property valuation had increased because of further building and she had paid the charges on her rate demand thinking they were a 'one-off'. Mrs Morganti said Council had granted Bay Vista resource consent to discharge storm water over her property and into the karst system, which saves on infrastructure costs but the land is being scoured and degraded by the stormwater. She asked for advice on how to stop unfair Council charges.

Mr Frater asked for a copy of the letter to take back to appropriate people in Richmond.

Don Mead – thanked the Board for its efforts on the targeted rate issue. He expressed disappointment at the increase in his rates; he considered in times of recession Council needs to keep its expenditure down.

Cr Borlase responded that \$12.5M had been taken off Council's debt; he said that Tasman's rate increase is lower than neighbouring councils. Cr Borlase reported that roading costs are going up; bitumen costs are increasing at the same rate as oil.

Lillian McKay – spoke about the dangerous corner on Rototai Road, due to a high fence being erected which limits visibility.

The Chairperson said the Board had looked at the area in question the previous week and the matter would be discussed today. It was being suggested that the speed limit be lowered to help the situation. He said the options available are very limited.

It was further suggested that a concealed entrance sign may be helpful along with signage for lower than 50kmph and perhaps speed bumps.

BJ White – raised the matter of work being done in Swiftsure Street, Collingwood. He said he had spoken with the Compliance Officer who knows nothing about it. Mr White asked who authorised the work and who is paying for it; he said stormwater is being directed onto other people’s private land, which he understands is illegal. Mr White asked why the affected landowners were not consulted about the work.

The Chairperson said the Board is aware of the issues; he said some of the work is being paid for by Bruce Hamlin. Mr Bell said he understood that some of Council’s Engineering staff are coming over this week and he had asked them to speak with Mr White and Ms Morris. Mr Bell said another concern is that the water table is not directing water into the pipework at the bottom and design correction is needed there.

It was pointed out that Collingwood has an urban drainage area because of its stormwater problems but things appear to be getting worse.

In response to a question by the Board as to whether the water table could cope if it was property aligned, Mr White said it probably could, however most of the water is not being directed into the watertable.

Ms Griffith asked that Keith and Pat Ballard be included on the list to speak to Engineering staff.

The Chairperson thanked members of the public for their attendance.

**Moved Board members McLellan/Gamby
GB08/07/03**

**THAT the correspondence and reports (as amended) be received.
CARRIED**

3. CONFIRMATION OF MINUTES

3.1 GB Community Board – 8th July 2008

Page 8 - It was asked that the heading of 5.4 be amended to read “Golden Bay Schools”

**Moved Board members Brookes/McLellan
GB08/07/04**

THAT the Minutes of the GB Community Board meeting held on 10th June 2008 (containing resolutions GB08/06/01 – GB08/06/18), as amended, be confirmed as a true and correct record.

CARRIED

4. REPORTS

4.1 Chairperson's Report

4.1.1 Rototai Walkway/Cycleway (See Chairperson's Report Page 2)

The Chairperson advised that the Board had visited the site following community concern that the path was not following the agreed line; the landowner had lost more land than was originally intended and was concerned that the necessary drainage work would not be completed. The works supervisor had assured the landowner that this would be done under a separate maintenance contract.

**Moved Board members Gamby/Brookes
GB08/07/05**

THAT the Golden Bay Community Board monitors completion of the pathway and the necessary drainage works to the satisfaction of the agreement with the landowner, Mrs. Theo Blyth.

CARRIED

**Moved Board members McLellan/Brookes
GB08/07/06**

THAT on completion of the works the GB Community Board writes to Engineering Services and Montgomery Watson Harza thanking them for the successful completion of the work undertaken.

CARRIED

4.1.2 High Fence on Corner on Rototai Road

The Chairperson said the Board had looked at this on 24th June 2008.

**Moved Board members Bell/Gamby
GB08/07/07**

THAT Council's Engineering Services be advised that with houses now on both sides of the road in the vicinity of the Arapeta subdivision the speed limit on that section of Rototai Road needs to be reduced from 70kmph to 50kmph to mitigate the risk due to the loss of sight line visibility for vehicles exiting/entering driveways, as is the case in other urban settlements with the request that this be done.

Further that there be a recommended speed for the corner of 35kmph with a 'Concealed Entrance' sign, and double yellow lines extending around the corner, owing to the restricted sight lines.

CARRIED

Cr Borlase suggested that if a speed restriction of 50kmph does not work perhaps a speed bump could be considered.

The Board considered that the matter of this corner could perhaps have been dealt with at subdivision stage.

**Moved Board members McLellan/Gamby
GB08/07/08**

**THAT the GB Community Board writes to Engineering Services and Environment & Planning pointing out what has happened and asking how this problem can be avoided or mitigated in future subdivisions.
CARRIED**

Mr Frater said Council now employs a development engineer who looks at such issues with subdivisions; he said systems have been improved.

4.1.3 Congratulations

**Moved Board members Bell/McLellan
GB08/07/09**

**THAT letters of congratulation be sent to Golden Bay Promotions, Golden Bay Collectable Car Club and the Golden Bay/ Nelson combined choirs for their success in the recent Trustpower Community Awards".
CARRIED**

The Chairperson explained that a big part of the GB Promotions award was the hanging baskets; the meeting acknowledged by applause the part that Cr Borlase had played in that.

With regard to edible plantings on reserves, the Chairperson told the meeting that Tasman District Council is looking for appropriate sites for suitable plant species – perhaps citrus, feijoas, nut trees and olives.

4.1.4 Discretionary Fund

**Moved Board members McLellan/Brookes
GB08/07/10**

**THAT the Golden Bay Community Board ratifies allocations of \$500 made to the Ann Castle Memorial Fund; and up to \$500 to the Lexia Reading Programme in the event of a shortfall in other fund raising efforts for this.
CARRIED**

The Board considered that while the Lexia Reading Programme is not core business for the Board, the reading recovery programme is very important. \$20,000 needs to be raised to cover all 5 Golden Bay schools. The Community Workers have given \$500, and rural women are trying to find some funding also. Money required to maintain the programme will not have to be raised in the community.

4.1.5 Annual Plan Process

**Moved Board members McLellan/Gamby
GB08/07/11**

**THAT the Golden Bay Community Board writes to the TDC expressing community concern about aspects of the 2008-09 Tasman District Council Annual Plan process including the reported use of workshops instead of public meetings and the rushed time frame at the end of the process.
CARRIED**

The Board considered that discussing the Annual plan process in a workshop situation is not transparent.

In reply, Cr Borlase explained that it is important to be able to discuss such matters in a more relaxed setting; that it is good to be able to speak frankly without the restrictions of a formal meeting. He said the results of the first workshop were recorded in an open meeting, that recommendations were talked about in open meeting and it was adopted in open meeting. Discussions on how to keep the rate low were also held in a workshop.

The Chairperson pointed out that the concerns regarding transparency were raised by people in the community.

4.1.6 Targeted Rate Process

The Chairperson said the Board is concerned about inflated costs for the community board.

**Moved Board members Bell/McLellan
GB08/07/12**

**THAT the Golden Bay Community Board writes to the Office of Controller and Auditor General and/or any other relevant agency seeking a formal investigation of the process which has resulted in communities with community boards being charged a targeted rate.
CARRIED**

The Chairperson explained this avenue was recommended by the Ombudsmen's Office.

Cr Borlase said he understood the Chief Auditor will be in the Tasman District in the next few months; he said he would talk to the Corporate Services Manager (Murray Staite) and see if the Board can meet with him.

The Board considered that as it is representing the Golden Bay community it must do its best with this matter and that the targeted rate should not have been put in the Draft Annual Plan. The Board considered it had been given a valid opinion from Warwick Heal who agreed it was not the correct interpretation of the Local Government Act 2002. The Board considered the rate to be against the intention of

the Act and had submitted to the Local Government Review and is presently awaiting an outcome from that.

The Chairperson said the Board needs to carry on and do the best it can. He said the legal opinion from Fletcher Vautier Moore used by council is only a partial opinion as it only refers to provisions of the Rating Act and not the Local Government Act 2002 and the Marlborough District Council legal opinion from Simpson Grierson in part 3.3 refers to their interpretation of LGA 2002 Schedule 7 39 (3) as being 'on the face of it' which is not a definitive statement. Mr Bell said the Board has had two favourable legal opinions – one written and one verbal, however it would cost the Board \$1000 to have the second opinion put in writing. He said the matter needs to be determined through a definitive declaratory judgment.

The meeting adjourned for morning tea between 10.37am and 10.55am.

4.1.7 Servicing the Boards

The meeting discussed the suggested recommendation that Council staff be welcome to attend Board meetings at Council's cost and the following points were made:

- \$200 staff charge-out rate is too expensive;
- It is good to have Mr Frater (Council staff) in attendance and for him to see Golden Bay issues and to take those back to Council ;
- That the resolved meeting of the Board with Mayor Kempthorne, the CEO and Lloyd Kennedy take place before the suggested recommendation is moved;
- The value of the Board to TDC has not been addressed;
- The suggested recommendation be discussed at the meeting with the Mayor, CEO and Mr Kennedy;
- The Board is obliged to have administrative support from Tasman District Council, however it was not envisaged it would be at an exorbitant cost;
- The Board is supportive of the meeting with the Mayor, CEO and Mr Kennedy;
- Community boards were instituted to make local government more accessible and accountable.

Mr Frater explained that Council management do have an obligation to charge for attending Board meetings however. He considered the Board should raise their concerns before adopting a position on the matter.

Moved Board members McLellan/Gamby GB08/07/13

**THAT the matter of charging for staff attendance at Community Board meetings be one of the matters to be discussed at the proposed meeting of the community board, Mayor, and management.
CARRIED**

It was suggested that a video link is essential. It was asked that the meeting of the Board with the Mayor and management take place before the August meeting of the Board; Mr Frater said he would convey the Board's request.

ALTERATION TO ORDER OF AGENDA

5. BUSINESS ITEMS

5.5 Economic Study in Golden Bay – Hon Pete Hodgson, Minister for Economic Development

Klaus Thoma joined the meeting. Mr Thoma said he had been working on trying to find a funding source but had failed. He said Golden Bay needs to look at what it can do itself and that input figures are needed.

The Chairperson pointed out that there have been other requests for an economic study as well.

Mr Thoma tabled his document. He said we need to know what is produced and at what cost. He explained for the benefit of the public gallery the background; that he had talked to people at Lincoln University, about doing an input/out study for Golden Bay but the matter has not progressed.

The Chairperson explained that Lincoln University has done this sort of work for other local authorities and had been keen to do it at a reasonable cost for Golden Bay. He said Massey University has been doing good work as well.

Mr Thoma said the cost of such a study by the Lincoln University would be around \$18,000 – a surprisingly low figure.

The Chairperson pointed out that the Board has also made some efforts, along with Peter Foster who had applied to the Annual Plan.

Moved Board members Gamby/Brookes GB08/07/14

THAT the letter be received and the Board writes directly to Jo Rainey, Regional Economic Development Manager for NZ Trade and Enterprise, as suggested by the Minister for Economic Development.

Carried

Cr Borlase suggested that Council may now be interested as it is funding the Nelson Economic Development Agency.

5.6 Economic Study in Golden Bay - GB Work Centre Trust : Endorsement of Proposal

Moved Board members Gamby/Brookes GB08/0715

That the letter be received and the Board retains a copy sending the original as an attachment to its letter to Jo Rainey.

CARRIED

**Moved Board members McLellan/Gamby
GB08/07/16**

**THAT the GB Community Board also refers this matter to the Nelson Regional Economic Development Agency (Bill Findlater), along with a copy of the Golden Bay Work Centre Trust letter.
CARRIED**

4. Chairperson's Report Cont

Collingwood Tennis Club

Cr Borlase said the Collingwood Area School is happy to have two tennis courts on its grounds. Council is seeking something in writing from either John Garner or the Ministry. Once that is received Council will then talk to the Collingwood Tennis Club to see whether the two tennis courts at the Collingwood Camping Ground may be leased.

The Board pointed out that the tennis courts belong to the Club and that the offer to lease the tennis courts is a new idea. The Board had an options paper provided by the Community Services Department that they had negotiated from.

Integrated Health

Cr Borlase reported that the Interim Management Committee is meeting tomorrow night. He said concern has been expressed about the accuracy of the questionnaire that has been put out by the Medical Centre Trust but there has been no formal response to it by the Integrated Health people. Cr Borlase said he understood the District Health Board has approached a property advisor to ascertain the best site for an integrated health facility. He said the Interim management committee is letting people know what comes out of their meetings and there will be a lot more information in the future.

Board member McLellan said there has been no decision as to a site; expressions of interest in providing a site are to be called for. She said there is a criteria that must be met and the DHB will be checking out the site. Mrs McLellan said the community needs to have input; the DHB, PHO, doctors, nurses, Council, Joan Whiting Trust and the community are all involved and they are hoping for input from the GB Medical Centre Trust.

Concern was expressed about the questionnaire being numbered; it was also pointed out that even if the integrated health does not happen, the Medical Centre will still move.

Cr Borlase said the DHB are adamant that there will still be a surgery at Collingwood.

Board member McLellan clarified about the questionnaires being numbered – it is so they know if they have been photocopied.

The Chairperson said he had contacted Eric Verstappen (Resource Scientist – Rivers and Coast), who confirmed there is a flood risk for the Rototai site, and that both sites would need resource consent. He urged caution regarding the questionnaire.

In reply to a question of concern regarding the advertisement, Mr Frater clarified that the current medical centre must continue until a new facility is constructed.

Savings

The Board discussed Council's policy 'Think District'. Because of the outcome of the targeted rate it was considered necessary to look at the items outside of Golden Bay that Golden Bay ratepayers help pay for. Mrs McLellan said there are a lot of things in the Plan that are of no importance to Golden Bay – they could be savings on our community that has been rated so high.

It was pointed out that the one aberration to 'Think District' is the targeted rate and that the Board is hoping that the Local Government Commission will come out in favour of the Board's thinking.

It was agreed that 'time would tell', and the matter was left in abeyance.

Open Orchard Update

**Moved Board members Bell/McLellan
GB08/07/17**

**THAT the GB Community Board supports proposals being pursued by the Reserves Department as and where deemed viable and appropriate taking into account tree maintenance and compatibility of reserve use for other purposes.
CARRIED**

4.2 Reserves Manager's Report

4.2.1 Playground – Parapara

**Moved Board members McLellan/Gamby
GB08/07/18**

**THAT the GB Community Board makes a service request to the Reserves Manager to investigate both reserves for archaeological significance and the suitability to have a playground sited on them.
CARRIED**

The Board will enquire to see if there are any other reserves in the Para Para area which may be considered.

5. BUSINESS ITEMS Cont

Items 5.1 and 5.3 were received earlier in the meeting.
Items 5.5 and 5.6 were discussed earlier.

5.2 Consultation on Proposed Commercial harvest arrangements – Invitation from Challenger Scallop Enhancement Co Ltd

**Moved Board members McLellan/Gamby
GB08/07/19**

THAT the letter be received and Mitch Campbell from the Challenger Scallop Enhancement Co Ltd be formally thanked for the information provided about the scallop fishery in an open and inclusive manner.

CARRIED

5.4 5-knot Marine Speed Limit – Response from Water Safety NZ

The Chairperson explained that Port Golden Bay, Tarakohe, Harbour Manager, Alan Kilgour, had suggested the matter go to Maritime NZ direct.; he thought that stickers are a great reminder to those operating water craft.

Mr Bell clarified that boats come here from all over NZ and this system would pick up all boats sold nationally.

**Moved Board members Brookes/McLellan
GB08/07/20**

THAT the letter be received and the Board refers the suggestion for stickers highlighting the “5-knot 200 metres” rule directly to Maritime New Zealand.

CARRIED

The Board agreed to look at local stickers if the resolution is not successful.

The Chairperson said he has put up 5-knot – 200m signage at Milnthorpe, provided by the Community Services Manager, Lloyd Kennedy. It was considered that they are needed also at Parapara.

**5.7 Proposal to Sell Property : GB Medical Centre – J Frater, TDC
Manager Property Services**

Mr Frater spoke regarding the advertisement and clarified issues for the Board. He said Council had been approached by the GB Medical Centre Trust asking that Council consider selling the property. He said a proportion of the funds realised will be put towards a future medical facility in Golden Bay and he is seeking feedback from the Golden Bay community. Mr Frater said Council does not want to support one group over the other; he said the community will feel safe knowing that there will be an ongoing medical facility in the future.

In reply to a question why all the funds cannot be used, Mr Frater advised the Board to include that in its recommendation.

Retaining the Medical Centre residence was discussed; it would require to be subdivided off.

The Chairperson read the suggested recommendation:

“That the letter and attachment be received and the Board considers making a submission to the sale proposal.”

The meeting was informed that there are plans for a new medical centre all ready to go, but awaiting finance.

It was agreed that the medical centre residence should be retained.

In reply to the Board asking why it had not been consulted regarding the matter, Mr Frater said the Board is considered to be an affected party and Council is keen to get the Board's opinion, however, it is a 'chicken and egg' situation as to who should be consulted first – the community or the Board. Cr Borlase pointed out that the decision to sell has not been made and the community board would be consulted prior to that.

With regard to the GB Medical Centre Trust, Mr Frater said the trust is very much an interested party as they are the occupier of the land.

Mr Frater said Council is interested in what the Board wants and the community of Golden Bay and it needs to have a balanced opinion. He said Council's decision will be made on what it believes the people want and what is the best decision. Mr Frater said his report to the Council would probably be a public document.

In reply to a question whether Council will take notice of the questionnaire, Mr Frater had no knowledge of it and was informed it was commissioned by the GB Medical Centre Trust.

The meeting adjourned for lunch break between 12.41pm and 1.25pm.

**Moved Board members McLellan/Brookes
GB08/07/21**

THAT the Golden Bay Community Board in its advisory role be:

- i. Consulted with by Tasman District Council prior to any sale of the medical centre land and buildings being entered into; and**
- ii. Consulted with fully in relation to the decisions made for distribution of the sale proceeds.**

CARRIED

**Moved Board members McLellan/Gamby
GB08/07/22**

THAT the letter from Jim Frater, Manager Property Services, be received and the Board makes a submission to the sale proposal which includes consideration of the need for the best decision for health services in Golden Bay and the proceeds be reserved for Golden Bay health purposes. Further, that the residence for health staff accommodation be retained.

CARRIED

Mr Frater explained the process; he said if Council agrees that the Medical Centre should be sold and the proceeds are to go into a new facility it will want to consult

with the affected parties, and at that point he would say the GB Community Board could be involved.

5.8 Golden Bay Community Response Planning – CDEM Manager, Jim Burrows, Nelson City Council

It was noted that the date for the next meeting is Friday 1st August 2008 10am – 12.30pm to be held in the Takaka Fire Station rooms. Board member McLellan put in her apologies.

5.9 Legality of Targeted Rate – Response from Minister of Local Government

**Moved Board members Bell/Gamby
GB08/07/23**

**THAT the matter of determining the legality of targeted rates on communities with community boards be pursued through all available avenues.
CARRIED**

5.10 Ann Castle Memorial Funding Application – Request from Joan Whiting Rest Home

It was reported that the balance of the Ann Castle Memorial Fund is currently \$7,602.88, plus \$500 donated by the Board from its Discretionary Fund Account.

**Moved Board members McLellan/Gamby
GB08/07/24**

**THAT the Trustees of the Ann Castle Memorial Fund be requested to consider the application from Joan Whiting Rest Home for funding for a fully adjustable mobile recliner chair and advise their recommendation to the Board, noting that the term investment matures on 18th August 2008.
CARRIED**

There being no further business, the meeting closed at 2.06pm.

Date Confirmed:

Chair: