

# MINUTES

**TITLE:** Golden Bay Community Board  
**DATE:** 12<sup>th</sup> August 2008  
**TIME:** 9.05 am  
**VENUE:** Collingwood Fire Brigade Rooms

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

**IN ATTENDANCE:** Cr Borlase, L Kennedy (Community Services Manager), N Heyes (Meeting Secretary)

## 1. APOLOGIES

**Moved Board members McLellan/Gamby  
GB08/08/01**

**THAT the apology for absence received from Cr Riley be sustained.  
CARRIED**

**Moved Board members Brookes/McLellan  
GB08/08/02**

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

The Chair welcomed Mr Kennedy to the meeting.

## 2. PUBLIC FORUM

Keith Ballard – lives in Gibbs Road, and spoke about the work carried out on Swiftsure Street. He said it has channelled more water into ‘his’ culvert; the water runs across BJ White’s and the Ballard property. The increase in water has caused significant erosion of the culvert on their place and will cause damage over time. Mr Ballard considered it would also affect other people. He criticised the process saying that there had been no notification of the change taking place in a slope instability hazard area and he has written to Council about the matter.

The Chairperson said the Board had taken the matter up with Engineering and received a report from Council’s Jeff Cuthbertson that the Board had commented on and is now awaiting a response. He had photographs of the bottom of Swiftsure Street which showed the drains not well designed to pick up water.

Liza Eastman – spoke about the JW Rest Home and thanked Board member McLellan for being an auctioneer to raise money for chairs for the Home.

Maureen Scotland – said the fundraising had been very successful; she thanked donors, sponsors and everyone involved. They had raised over \$3,500.00.

Mrs Eastman commented on the JW Rest Home Trust's AGM; she was aware of a letter of dissatisfaction on how the meeting was handled and the information that was given. Mrs Eastman asked the Community Board members who are on the appointments panel to look very carefully at the nominees; she considered there are some really good candidates. Mrs Eastman stressed the importance of keeping the rest home open until there are better possibilities for care of the elderly in Golden Bay.

Alan Vaughan – reported on the Challenger Inshore Fin Fisheries Management Plan Advisory Group; he said they are making good progress. He said their 'wish list' that has been submitted was discussed rigorously. Mr Vaughan said the Management Plan will include much longer provision for the protection of the ecological diversity of the coastal area however he is concerned that MAF will have the final say. He said they resolved to invite Tracey Osborne to sit in on the meeting as she is undertaking an ecological study of Golden Bay. Mr Vaughan said the Advisory Group wants to have a mechanism to take account of individual management plans for places like Golden Bay that have been thought about by the residents.

The Chairperson said he understood that Ms Osborne has a contract to do some ecological work towards a management plan for Golden Bay.

Peter Foster – spoke about the consultation on the proposed sale of the GB Medical Centre property, and the Board's recommendation from the previous Board meeting. He expressed concern that a mixture of four separate medical businesses, Tasman District Council, the Medical Centre Trust, the DHB and the JW Rest Home could spend a lot of effort on coming up with a scheme without knowing the 'bottom line' of each of the participants with regard to governance and the transfer of assets. He suggested the Board could take up his concern.

With regard to the targeted rate, Mr Foster strongly urged the Board to not take up the suggested recommendation to rescind. He considered the Local Government Commission accepts the legality of a targeted rate under the present law and there is no guarantee that the Board's recommendation will be adopted by the Government. Mr Foster was concerned that passing such a recommendation would undermine delegations to the Board.

The Chairperson pointed out that the Local Government Commission does not say a targeted rate is legal; it asked for clarification only. He said the Board has a legal opinion on that. He considered it untenable to be charged a targeted rate if there are further delegations to the Board and the matter needs to be sorted out on a proper basis. The matter is on the agenda for discussion.

Board member McLellan reiterated and quoted from the Local Government Commission's report that the Act be "amended to clarify" – the Commission did not say a targeted rate was legal or illegal.

Jo Pomeroy raised the matter of road safety in Bainham at the Silverstream Bridge. She said it is a very old bridge and the greenery growing at the approaches on both sides hides a 10m ravine. Mrs Pomeroy said she had asked for the grader driver to

stop directing water over the sides of the bridge approaches – the road is now only 5.7m wide. She said she has left messages for staff in Council's Engineering department but has had no response. Mrs Pomeroy said the Bonny Doon Bridge spans a ravine in excess of 5m and needs substantial barriers; she said there are 14 barrier-ed streams that have less than a 1m drop.

The Chairperson said a Service Request would be put through suggesting the armour- rail type barriers.

Mrs Pomeroy also spoke about a large area of weed in the middle of the Coast Care project at Pakawau – a plant similar to bamboo – elephant grass. She said Ken Wright (Council's Biosecurity Contractor) says it is not on his list. There is also a huge area of the weed at Totara Avenue.

The Chairperson said a service request would be put through for that also.

Mrs Pomeroy also raised the matter of the stormwater issue in Swiftsure Street and Gibbs road areas. She expressed concern with what she saw as Council's lack of transparency on what is happening and asked whether it is a public road. She has already asked that question and received two opposing answers. Mrs Pomeroy said water has been diverted over other people's private property with no explanation; Compliance Officer for Council, Warren Galbraith, had said he would see that the problem is righted but the residents also want an apology.

The Chairperson said the Board had received a report from Engineering Services, which has responded to and now awaits a reply. He said one aspect of the matter is that because of topography of the land the road has not been formed on its legal alignment. At present the road is accessed by a r.o.w. and the road needs to be legalised. People should not need to have a r.o.w to access a legal road.

Jo-Anne Vaughan – said she was elated about the recommendation from the Local Government Commission that community boards should be funded from the general revenues of the district, and also the strong recommendation about delegations to community boards. She hopes those recommendations are carried through strongly in the updating of the Local Government Act 2002.

Mrs Vaughan expressed admiration regarding the Rototai Walkway; she considered it a perfect example of delegation with the Council, GB Community Board, the community and Engineering Services involved in the outcome.

The Chairperson said it was mostly driven by the Rototai Road residents, with the Board happy to assist. He said there is still the matter of drainage to be sorted out.

Penny Griffith – drew the Board's attention to errors in the Annual Plan; she said while the Plan mentioned a Heritage Subcommittee there is not one, there is also a mistake with the Regional Facilities Rate where money was added instead of being subtracted due to the Headingly Centre contribution being withdrawn from the Annual Plan.

Ms Griffith asked about funding for the Brook Waimarama Sanctuary; she had been told by a councillor that funding was not approved but it is in the final Plan.

Mr Kennedy explained that the Plan had been adopted without the Brook Waimarama Sanctuary being taken out, so it has been approved. With regard to the Heritage Subcommittee, Mr Kennedy said it was in the Plan in two places and only one was taken out; he said he would check the matter of the Facilities rate amount.

BJ White – raised the matter of Swiftsure Street. He did not consider Mr Cuthbertson was very helpful. Mr White also asked about the subdivision at Pakawau and who is liable for remedial works if the land is inundated by sea water.

The Chairperson said using Ruby Bay as an example, it appears to be a shared contribution for coastal protection and a special levy put on the properties involved.

There was some discussion on buildings being relocatable and so able to be moved.

Mr White was concerned that properties may be being sold at Pakawau with the problem of inundation being disguised.

Nicola Basham – spoke about Tasman joining the “Love NZ” recycling initiative with \$1.5M being available to councils for this year to put public recycling bins in tourist ‘hot spots’. Ms Basham asked the Board to approach Council for bins for areas such as camping grounds and in the townships in Golden Bay.

The Chairperson said Council is considering putting a recycling bin at the Information Centre, on a trial basis.

Cr Borlase explained that it is a new type of facility and if it works perhaps it will be used in other places.

**Moved Board member McLellan/Gamby  
GB08/08/03**

**THAT an application to Engineering Services for Love NZ recycling bins be added as a late agenda item.  
CARRIED**

Dick Lamb – raised the matter of the UDA at Tata Beach. He said he had put in a tender for the realignment of the storm water system at Tata Beach. Mr Lamb said his tender was not opened because he did not include a construction programme. He said the successful tendered price was 30% higher than his. Mr Lamb said he had raised the matter with Peter Thompson and believed that tendering of small jobs was overdone – it needs to be less onerous for smaller operators to be able to submit a price.

The Chairperson said the Board wants to see the best fair price for each job done and it is of concern if the tendering process is inflating the cost of projects and would follow the matter up.

Board member McLellan – spoke on behalf of Lillian and Ivan McKay who could not attend the meeting regarding the safety issues at Rototai Road when the matter is discussed during Correspondence.

Mrs McLellan congratulated Jo and Dean Pomeroy on their daughter's success in the speech competition.

Mrs McLellan raised the matter of the recyclables that had been put in the landfill for 3- 4 months; she felt "aggrieved" at the contractor's behaviour, who had been fined. The Chairperson said it is very disappointing and would be discussed at the Board's next meeting.

The Chairperson, on behalf of the Board, wished Lydia Pomeroy all the best for the speech competition to be held at the end of September.

Board member Gamby – thanked the Board for its congratulation on behalf of the Nelson/Golden Bay combined choir.

Mr Gamby updated the Board regarding Jan Morganti's letter on the UDA and stormwater in Pohara which is channelled through her property and into the kaarst system. Ms Morganti said Council's John Karitiana has looked at the situation and expressed surprise that there is no sink hole to drain the water; he said the system is not the way it is supposed to be. Ms Morganti would like another onsite inspection and to be present for that. She said there is a lack of plantings in the reserve area.

With regard to the extension of banners in Commercial Street and Motupipi Street, Board member Gamby reported there is an agreement between Tasman District Council and Nelson City Council they have a standardised system for hanging banners so they are all interchangeable. Twenty brackets will cost \$953 with an extra \$1 a bracket to allow for standardised banners. Mark Allinson said he can alter the banners.

Liza Eastman – thanked the Board for its interest in the banners. She displayed a standard banner and considered the local banners were more interesting; she did not think paint could be applied to that type of fabric. Mrs Eastman said there is a problem with heat setting of the paint.

Mr Gamby said permission from Network Tasman is required to use their poles and to attach brackets and banners to them. He said they have a fund that can be applied to; he has written to them but not received a reply as yet.

BJ White - asked whether Golden Bay's green waste is taken over the hill. He also asked if the walkway between Upper and Lower Gibbs Road could be improved if any more work is done there as it is dangerous.

The Chairperson said the drainage needs to be sorted out at the top of the walkway and bottom of Swiftsure Street. With regard to the green waste question, he said the Board had submitted for it to be processed in Golden Bay and was advised it costs less to take it out of the Bay.

The Chairperson thanked everyone for their attendance and for bringing the issues they had raised to the attention of the Board.

The meeting adjourned for morning tea between 10.30 and 10.50am.

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of the meeting of the Golden Bay Community Board held on 8<sup>th</sup> July 2008**

**Moved Board members Brookes/Gamby  
GB08/08/04**

**THAT the Minutes of the Golden Bay Community Board meeting held on 8<sup>th</sup> July 2008 (containing resolutions GB08/07/01 – GB08/07/24) be confirmed as a true and correct record.**

**CARRIED**

**Moved Board members McLellan/Gamby  
GB08/08/05**

**THAT the reports and correspondence contained in the agenda be received.**

**CARRIED**

**4. REPORTS**

**4.1 Chairperson's Report**

**Rivercare meeting Collingwood**

**Moved Board members McLellan/Gamby  
GB08/08/06**

**THAT the Golden Bay Community Board supports the LIDAR contour mapping of Takaka to be undertaken as soon as possible so that the information obtained can be factored in to land use planning for the area.**

**Further that the GB Community Board requests a timeframe for when this work is to be undertaken.**

**CARRIED**

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

**THAT Council be congratulated on purchasing this very valuable diagnostic tool.**

**CARRIED**

**Motupipi Hall**

**Moved Board members Bell/McLellan  
GB08/08/08**

**THAT the Golden Bay Community Board formally writes to the Motupipi Hall Committee congratulating them on the successful commemoration of the 50<sup>th</sup> anniversary of the Hall.**

## **CARRIED**

### **Transfer Station – Access to Reusable Materials**

The Chairperson spoke to this item; he said one of the reasons for stopping people salvaging material from the transfer station was because a child with bare feet had been observed in that area.

Cr Borlase said he had received a number of phone calls regarding the loss of access.

The meeting discussed the best way to deal with the issue.

### **Moved Board members McLellan/Brookes GB08/08/09**

**THAT the Golden Bay Community Board makes an approach to the operators of the Golden Bay transfer stations to see if a policy for continued safe access to reusable materials at Tasman District Council transfer stations can be developed.**

## **CARRIED**

It was agreed that Cr Borlase approach the operator of the Takaka transfer station and the Chairperson would approach the Collingwood operator.

### **Transferable Water Permits**

The Chairperson reported that anyone can make a submission to Variation 65 to the proposed Tasman Resource Management Plan; he considered it really necessary to get the policy framework right for transferable water permits and that transfer of water rights from a particular property to another one needs to be under the full control of the Local Authority, not private individuals.

Cr Borlase explained that the issue was a temporary exchange of water right that can be shared between farmers when their need for the water is (temporarily) not required and that it is considered to be an efficient use of water. He thought water was over allocated but not over used.

Board members did not want water rights to change hands, even temporarily, for money. It was agreed that water determines whether a property is viable or not.

### **Moved Board members McLellan/Brookes GB08/08/10**

**THAT the Golden Bay Community Board makes a submission to Variation 65 of the proposed Tasman Resource Management Plan requesting that any temporary transfer of water rights away from the property for which they were held must be administered by Council, and on other matters of concern arising from the proposed variation.**

## **CARRIED**

## **Joan Whiting Funding Request**

**Moved Board members Bell/Gamby  
GB08/08/11**

**THAT the Trustees of the Ann Castle Memorial Fund recommend that \$500 each be granted from the Ann Castle fund towards the purchase of a chair or chairs to a maximum of \$1,500 if three chairs are purchased.  
CARRIED**

## **Port Golden Bay at Tarakohe**

The Chairperson said he understood there was money outstanding at the end of the financial year; he thinks it should be recovered.

**Moved Board members Gamby/McLellan  
GB08/08/12**

**That the Golden Bay Community Board supports all efforts to set appropriate charges and billing systems for use of Port Tarakohe and harbour environs in order that the Port is managed in a sustainable way which fairly reflects the inherent value of its existence as an all-tide community-owned port to all port users.  
CARRIED**

## **Local Government Commission Legislative Review**

It was pointed out that the Local Government Commission's recommendation was to clarify Clause 39 of Schedule 7 that a targeted rate is not to be charged and the Board had obtained two legal opinions that supported that. The Chairperson said the two other legal opinions that Council had obtained did not stand scrutiny.

**Moved Board members McLellan/Brookes  
GBO8/08/13**

**That the Golden Bay Community Board requests Tasman District Council to rescind the decision of 26 June 2008 to target rate communities with community boards.**

The lengthy discussion on various points, included:

- The lengthy process if the LGC's recommendation has to go through all the 'legislative hoops';
- The difficulties of rescinding the rate and having a deficit;
- Submitting to the next year's LTCCP to have the targeted rate for community boards removed;
- Whether Council has a cash surplus or not;
- Golden Bay having the lowest income in the district and the targeted rate unaffordable for a lot of people;
- Council would have known that targeting a rate was 'fraught with difficulties';



- Legal difficulties of taking the targeted amount for community boards out of the rate;
- Vast majority of Councils fund their community boards from the general rate;
- The question of whether targeting a rate for community boards is legal or not has never been tested in law.

The motion was PUT and **CARRIED**.

#### **4.2 Cr Riley's Report**

With regard to Civil Defence Emergency Management, Cr Borlase said he was pleased to see the effort being put in on civil defence in Golden Bay. The meeting expressed congratulations to Jim Burrows (Emergency Management Manager) and the other civil defence people.

### **5. BUSINESS ITEMS**

#### **5.1 Quotation for Friday Bus - GB Coachlines – Collingwood – Takaka, Pohara – Takaka**

The Chairperson said the Friday bus had been part of the Board's submission to the Annual Plan; he said it had not been intended to be a free service or to deprive Collingwood and Pohara businesses of patronage; if Tasman District Council became a subsidised council that would help also.

It was reported that Tasman District Council is not a subsidised council; it would not have been feasible apart perhaps from Richmond to Nelson.

It was pointed out that an offer of a bus for people from Takaka to attend an Annual Plan meeting in Collingwood had resulted in little interest.

**Moved Board members McLellan/Gamby  
GB08/08/14**

**THAT an advertisement be placed in the Newsline and the GB Weekly calling for feedback and an assessment undertaken to see whether there is a need for such a service.**

**CARRIED**

The meeting adjourned for lunch between 12.30 and 1.10pm.

**5.2 Minister for the Environment**

**5.3 Stuart Hughes Associates Ltd**

**5.4 Minister for the Environment**

These items were received earlier in the meeting.

**5.5 Water Supply Bylaw 2008 – TDC Utilities Asset Manager**

**Moved Board members Gamby/McLellan  
GB08/08/15**

**THAT the letter and Draft Bylaw be received and the Board makes a submission on it by 25 August 2008.  
CARRIED**

**5.6 Abel Tasman Foreshore Scenic Reserve Proposed Bylaw –  
Department of Conservation**

The Chairperson pointed out there is no date for when the submission is due.

**Moved Board members Brookes/McLellan  
GB08/08/16**

**THAT the letter and copy of the Draft Proposal be received and the Board makes a submission on it.  
CARRIED**

**5.7 Te Waikoropupu Springs Draft Management Plan – Department of  
Conservation**

**Moved Board members Gamby/McLellan  
GB08/08/17**

**THAT the letter and Draft Plan be received and the Board makes a submission on it by the closing date of 12 September 2008.  
CARRIED**

**5.8 TDC Manager Property Services**

This item was received earlier.

**5.9 Rototai Road Speed Restriction request – TDC Engineering  
Services**

Board member McLellan spoke on behalf of Mr & Mrs McKay; it was not considered that they should have to remedy what is seen as a mistake by Council. Mr & Mrs McKay rent the property and do not want pressure put on the landlord.

Board member McLellan said the Board has asked for some safety issues to be instituted which are not addressed in the letter; a concealed entrance sign, double yellow lines extending around the corner. Also required are no parking lines right round the corner, the legality of the fence height is being asked about.

**Moved Board members McLellan/Gamby  
GB08/08/18**

**THAT the letter be received and the Board reiterates the request for a speed reduction to 50kmph for this section of road, along with the other requests made at the July meeting to be addressed.**

**CARRIED**

The Board asked that the matter be addressed through planning policy to avoid this situation happening again elsewhere.

**5.10 Lexia Ready Programme – Golden Bay High School**

The Chairperson said the Board has approved funding of up to \$500 for the Lexia reading programme in the event of a shortfall in other fund raising efforts and is waiting to hear back from them.

**5.11 Te Kakau Stream Restoration – TDC Resource Scientist**

**Moved Board members Bell/Gamby**

**GB08/08/19**

**THAT the letter be received and the Community Board compile a letter to be sent to property owners adjacent to the Te Kakau Stream seeking their support for the project to improve the stream environs.**

**CARRIED**

It was asked that a letter also be sent to John Smith at Abbeyfield, with a copy of Trevor James (Council's Resource Scientist – Environmental) letter to the Board to be sent to everyone.

**5.12 'Thank You' Certificate – Rototai Residents and Friends Inc**

**Moved Board members Gamby/McLellan**

**GB08/08/20**

**THAT the certificate be received and the Rototai Residents and Friends Society be formally thanked for their efforts to bring this project to fruition.**

**CARRIED**

The Board asked that the certificate be framed.

**5.13 Proposal to submit new place name to NZ Geographic Board – Department of Conservation**

**Moved Board members McLellan/Brookes**

**GB08/08/21**

**THAT the Department of Conservation be advised that the Board supports the proposal to rename the former Brackendale Farm as Hadfields Clearing.**

**CARRIED**

**6. LATE AGENDA ITEM**

**6.1 Loves NZ Recycle Bins – Tourist ‘Hot Spots’**

**Moved Board Members McLellan/Gamby  
GB08/08/22**

**THAT the Golden Bay Community Board asks Engineering Services whether Tasman District Council is participating in the Loves NZ recycle bins subsidy scheme, and whether Golden Bay could have 5 bins for camping grounds and GB i-SITE.**

**CARRIED**

**6.2 July 2008 GB Community Board Budget**

The Community Services Manager tabled the budget for the Board for the month of July which showed the Board within its budget.

The Chairperson asked that when professional staff are charged out against the Board it is noted who the staff member is and what the Board is being charged for.

There being no further business the meeting closed at 1.45pm.

Date Confirmed:

Chair: