

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Thursday 2 September 2010  
**TIME:** 9.40 am  
**VENUE:** Council Chamber, 189 Queen Street, Richmond

**PRESENT:** Mayor R G Kempthorne (Chair), Crs 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 B King, T E Norriss, N Riley and E J Wilkins

**IN ATTENDANCE:** Chief Executive (P Wylie), Strategic Development Manager (S Edwards), Corporate Services Manager (M Staite), Manager Property Services (J Frater), Administration Officer (J A Proctor)

## 1 PUBLIC FORUM

### 1.1 Mr Peter Foster

Mr Foster spoke about the Review of Current Arrangements for Community Boards and Community Associations Report – RCN10-09-03 (the Report) contained in the agenda. Mr Foster stated that three issues had not been covered; delegation, consideration of the Local Government Commission, and Council's obligations under targeted rates.

### 1.2 Mr David Ogilvie

Mr Ogilvie spoke about Community Boards and commented that the Report had recognised the value of Community Boards. He continued that it was important that the Boards and Council worked in partnership. Mr Ogilvie stated that it was time to move on and leave the past behind.

### 1.3 Ms Carolyn McLellan

Ms McLellan spoke about the Report and stated that it was good to debate the issue. She suggested having a Community Board in each Ward with a Ward Councillor appointed to the Board. Ms McLellan suggested that Community Board members sit on Council Committees to help develop a closer working relationship with Council.

### 1.4 Mr Leigh Gamby

Mr Gamby spoke about item 7.7 of the Report and stated that he would like to see a healthy and positive relationship develop. He continued that staff were helpful although questioned the charges levied for their time. Mr Gamby stated that the targeted rate should be dispensed with and that the Golden Bay Community Board wished to serve its community well.

### **1.5 Ms Karen Brookes**

Ms Brookes spoke about the Report RCN10-09-03 and Clause 52(f) of The Local Government Act 2002. She continued that the targeted rate was unjustified.

### **1.6 Mr Ian Davey**

Mr Davey spoke about historical events relating to Community Boards and that centralising everything in the Richmond area was wrong. He continued that Council should make use of the Community Boards to improve the service provided to ratepayers.

### **1.7 Mr Joe Bell**

Mr Bell stated that he was concerned about much of the content in the Report. He continued that staff time was charged at exorbitant rates and requested that the Report be re-written to take into account Golden Bay Community Board's submission.

## **2 CITIZENSHIP CEREMONY**

Mayor Kempthorne officiated at the citizenship ceremony which was held for the following people:

David Cawood Bruce	Emma Louise Burnaby
Susan Elizabeth Bruce	Maria Jane Hart
Laura Elizabeth Bruce	Derrick Michael Herbst
Heather Lindsay	Jan Cornelis Meerman
Michael John Timothy Reilly	Catherine Mary Vanston Rickards

Pupils from Appleby School sang the National Anthem, performed a Haka and sang another song before joining Mayor Kempthorne, Councillors and new citizens for morning tea.

## **3 CONFIRMATION OF MINUTES**

### **3.1 Tasman District Council – 22 July 2010**

**Moved Crs Borlase/Higgins  
CN10-09-01**

**THAT the minutes of the Tasman District Council meeting held on 22 July 2010 containing resolutions CN10-07-01 to CN10-07-13 be confirmed.  
CARRIED**

## **4 REPORTS**

### **4.1 Mayor's Report – RCN10-09-01**

Mayor Kempthorne spoke to the report contained in the agenda.

The purpose of the report was to update Council with various issues. He also thanked the Council for the constructive manner they had worked as a team for the duration of this term.

An e-mail titled "Consultation on Reorganisation Proposal" from Mr Riezebos, Chief Executive Officer, Local Government Commission was tabled. A discussion ensued regarding the unremitting timetable for considering the proposed amalgamation of Nelson City Council and Tasman District Council. The Mayor had written to Mr Riezebos requesting that the Local Government Commission conduct an independent financial analysis of the amalgamation before calling for submissions. It was noted that submissions would be called for at the most inopportune time for rural people and hearings held prior to Christmas may not be well attended.

#### **Moved Crs Mayor/Ensor CN10-09-02**

**THAT the Mayor's report RCN10-09-01 be received by the Tasman District Council.**

**CARRIED**

### **4.2 Machinery Resolutions**

Mayor Kempthorne declared an interest in relation to a covenant issued to Phillip and Deborah Kempthorne.

In response to questioning, Manager Property Services, Mr Frater advised that item two under the heading "License" should read "Mapua Smokehouse, 31031L4, 10 year *licence* for outdoor dining area ...".

Staff advised that the matter of Council issued licences in the Mapua area, would be discussed at the next Council Enterprises Subcommittee meeting.

#### **Moved Crs Borlase/Riley CN10-09-03**

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

##### **LEASES**

**Imagine Theatre, 41760, 5 year lease of hall at Thorpe's Bush, Motueka  
Deji Ltd, 31031L6, 9 year term to lease fish and chip shop at Mapua Wharf**

##### **COVENANT**

**Anthony Ronald McCaa, RM100098, Covenant restricting use of second dwelling to the applicant and requiring removal when property is sold**

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**D R McKenzie, RM100090, Esplanade strip created along edge of Takaka river as part of the subdivision consent**

**Bernard Jerrard Snell, RM010302V2, Retaining a second dwelling on the site - to ensure that the two dwellings are not used as a reason for subdivision. To remove the previous covenants which are no longer applicable to the site.**

**NS & JA Pratt, RM030797, A covenant was imposed on RC for Rural 1 dwelling to allow temporary residential building for dependant person and dwelling now relocated**

**Phillip & Deborah Kempthorne, RM090726, Small second dwelling, covenant ensures second dwelling will not be used as a basis for subdivision**

**J & L Clifton and N & K Georgakis, RM100397, Covenant required to ensure status of second dwelling and prevention of subdivision**

#### **EASEMENT IN GROSS**

**MJ & CB Fraser, RM080804, Conditions of consent which required public pedestrian access to provide connections to esplanade reserve along coast areas**

**Peter Busch, RM060125, Easement in gross to TDC to drain sewage**

#### **LICENSE**

**Lawson, Cunliffe, Hartnett, 31031L5, Outdoor dining licence for Wharfside, Mapua Wharf Café and Bar, two year term**

**Mapua Smokehouse, 31031L4, 10 year licence for outdoor dining area at Mapua Wharf for area adjoining restaurant in Shed 3**

**Village Mall Café, 50404L1, Outdoor dining - Village Café Queen Street - two year term**

#### **CARRIED**

### **4.3 Review of Current Arrangements for Community Boards, Community Councils and Associations Report – RCN10-09-03**

Chief Executive, Mr Wylie spoke to the report contained in the agenda and provided a PowerPoint presentation in support.

The purpose of the report was to seek a review of the current arrangements for Ward Community Boards, Community Associations and Community Councils, and to consider possible changes to present delegations to Ward Community Boards.

A discussion ensued and it was suggested that a Council workshop take place to discuss issues before meeting with Community Boards, Community Associations and other representatives.

Moved Crs Norriss/Edgar  
CN10-09-04

THAT the Council receive this report RCN10-09-03 and note a range of possible recommendations to be considered further at a Council workshop prior to the end of the year.

THAT those possible recommendations 'lie on the table' in the interim while the report and the possible recommendations are referred to the incoming Ward Community Boards, and the full range of other community bodies.

THAT the Ward Community Boards and the full range of community Councils and Community Associations be invited to individually consider the report and the possible recommendations, with a view to joining the newly elected full Council in workshop that will be convened early in the terms of the newly elected full Council and Ward Community Boards.

THAT the workshop be used to establish a consensus around recommendations to Council that would;

- enhance targeted consultation,
- promote advocacy and advice that would assist the prioritising of Council expenditure,
- offer the opportunity for locally supported targeted rates for additional and special expenditure specific to individual communities.
- establish a constructive spirit of mutual trust and respect between all parties.

It was acknowledged that relevant groups wished to be included in discussions at the start of the process. Information would be forwarded to the groups for consideration, prior to meeting with Councillors.

The motion was withdrawn with the agreement of Cr Norriss and Cr Edgar.

Staff advised that all Community Boards would be treated fairly.

The issue of Councillors voting as members of Community Boards and as a member of Council was raised.

**Moved Crs Ensor/Borlase  
CN10-09-04**

**THAT the Council receive this report RCN10-09-03 and note a range of possible recommendations.**

**THAT those possible recommendations 'lie on the table' in the interim while the report and the possible recommendations are referred to the incoming Ward Community Boards, and the full range of other community bodies.**

**THAT the Ward Community Boards, Ward Councillors and the full range of Community Councils and Community Associations be invited to individually consider the report and the possible recommendations, with a view to joining the newly elected full Council in a series of workshops that will be convened early in the terms of the newly elected full Council and Ward Community Boards.**

**THAT the workshops be used to establish a consensus around recommendations to Council prior to the draft Annual Plan 2011 that would;**

- **enhance targeted consultation,**
- **promote advocacy and advice that would assist the prioritising of Council expenditure,**
- **offer the opportunity for locally supported targeted rates for additional and special expenditure specific to individual communities.**
- **establish a constructive spirit of mutual trust and respect between all parties.**

- **explore further delegations for Community Boards and the range of Community Councils and Community Associations.**

**CARRIED**

Crs Edgar, Norris, Borlase, Higgins and Inglis left the meeting at 12.28 pm.

The meeting adjourned at 12.28 pm.

The meeting resumed at 1.07 pm.

#### **4.4 Civil Defence Emergency Management Report – RCN10-09-04**

Chief Executive, Mr Wylie spoke to the report contained in the agenda.

The purpose of the report was to ensure that the continuity of the Nelson Tasman Civil Defence Emergency Management (CDEM) group following the October Triennial Elections.

**Moved Crs King/Riley  
CN10-09-05**

**THAT the Nelson Tasman Civil Defence Emergency Management Group and any subcommittee constituted by that Group shall not be deemed to be discharged on the coming into office of the members of the council elected or appointed at the next triennial general election of members, as provided for by clause 30(7) of Schedule 7 of the Local Government Act 2002.**

**And;**

**THAT the statutory responsibilities of each member of the Group be delegated to the Chief Executive during the election period.**

**CARRIED**

#### **4.5 2010 Communitrak Survey Results Report – RCN10-09-05**

Strategic Development Manager, Ms Edwards spoke to the report contained in the agenda.

The purpose of the report was to advise Council that the Communitrak residents survey had been carried out, and for Council to receive the survey report prepared by the National Research Bureau (NRB).

Cr Norriss returned to the meeting at 1.09 pm.

Crs Edgar, Borlase, Inglis and Higgins returned to the meeting at 1.12 pm.

Cr Wilkins left the meeting at 1.19 pm.

**Moved Crs King/Norriss  
CN10-09-06**

**THAT the Tasman District council receives this report on the 2010 Communitrak Survey Results Report RCN10-09-05, and receives the NBR 2010 Tasman District Council Survey Results.**

**CARRIED**

**5 RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Norriss/Glover  
CN10-09-07**

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

Lee Valley Dam  
Tasman Nelson Tourism Limited - Directors

**The general subject of the matter 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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
Lee Valley Dam	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Tasman Nelson Tourism Limited - Directors	Good reason to withhold exists under section 7	Section 48(1)(a)(i)

**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:**

<b>Reason to withhold information under Section 6 or 7</b>	<b>Section</b>
Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	Section 7(2)(i)
Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

**CARRIED**

**(Refer to Confidential Minutes Book containing resolutions CN10-09-08 to CN10-09-09)**

**6 RESOLUTION TO RESUME PUBLIC MEETING**

**Moved Crs Riley/Glover  
CN10-09-10**

**THAT public meeting be resumed.  
CARRIED**

The meeting concluded at 1.47 pm.

Date Confirmed:

Chair: