

MINUTES

TITLE: Tasman District Council
DATE: Thursday 28 October 2010
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Mayor R G Kempthorne (Chair), Crs M L Bouillir, S G Bryant, B F Dowler, J L Edgar, B W Ensor, G A Glover, J L Inglis, T B King, Z S Mirfin, C M Maling, T E Norriss, N Riley, E J Wilkins

IN ATTENDANCE: Chief Executive (P Wylie), Environment and Planning Manager (D C Bush-King), Corporate Services Manager (M W Staite), Strategic Development Manager (S Edwards), Accounting Manager (R Holden), Financial Accountant (B Grammer), Executive Assistant (V M Gribble)

APOLOGIES

**Moved Crs Norriss/Ensor
CN10-10-05**

**THAT apologies from Cr B F Dowler for lateness, be received.
CARRIED**

1 PUBLIC FORUM

1.1 D Way

Mr Way spoke about problems he is encountering with having his vessel occupy the Motueka Estuary and the involvement of the Environment Court.

1.2 C Salt

Mr Salt spoke in support of Mr Way. He asked that the rules concerning the coastal marine area be changed.

Cr Dowler arrived at the meeting at 9.36 am.

1.3 M Clark

Mr Clark congratulated the new Council on their election to office and offered some suggestions as to appointments to various Council committees.

1.4 J Gale

Mr Gale asked the Council to put a footpath in Champion Road from Park Drive and Hill Street to ensure the safety of children going to and from school.

1 CONFIRMATION OF MINUTES

1.1 Full Council – 21 October 2010

**Moved Crs Riley/Inglis
CN10-10-06**

THAT the minutes of the Full Council meeting held on 21 October 2010 containing resolutions numbered CN10-10-01 to CN10-10-04 be confirmed as a true and complete record of the meeting.

CARRIED

2 REPORTS

2.1 Committee Structure and Appointments – RCN10-10-12

The agenda contained a report from Mayor Kempthorne with a proposed committee structure.

Mayor Kempthorne tabled recommendations regarding the Councillors on each Committee, Subcommittee (including Chairs and Deputy Chairs) and other representatives and appointments.

Discussion was held on the directorship of Nelson Airport Ltd and Mr Wylie was asked to check on the Constitution of Nelson Airport Ltd and report back to the Council.

**Moved Crs Edgar/Ensor
CN10-10-07**

THAT membership to the Tasman District Council committees and portfolios be approved, as amended, as per the attached schedule.

CARRIED

3 CITIZENSHIP CEREMONY

A Citizenship ceremony was held for the following people:

Peter Stewart Barralet	Mukti Tejas Kansara
Elisabeth Connor	Saithan Pliansatja
Rena Ekmanis	Robert Douglas Rea
Iris Zanite Ekmanis	Alan Williamson
Catherine Ford	Sarah Elizabeth Williamson
James Craig Isdale	Nicholas Elliott Williamson
Tejas Mahendrabhai Kansara	Harriett Jane Williamson

Henley School children sang the National Anthem and another song of their choice and then joined the Council and new candidates for morning tea.

2	REPORTS (Continued)
2.2	Delegations Register – RCN10-10-07

The report contained in the agenda provided the opportunity for the Council to discuss delegations and sought approval of the Delegations Register. Environment and Planning Manager, Mr Bush-King presented the report.

Text with Table 2, Page 16 was amended to read: “Delegated authority to approve operating *and capital* expenditure within approved budgets.”

8.5(c), Page 21 was amended to read: “Enter into binding agreements for the sale and purchase of property *provided budget exists* with schedules ...”

**Moved Crs Norriss/Riley
CN10-10-08**

THAT the Tasman District Council approves the Delegations Register attached to report RCN10-10-07, as amended.

CARRIED

3.3 Community Boards – Appointment of Councillors – RCN10-10-08

Mr Wylie spoke to the report contained in the agenda which provided for the appointment of Councillors to Community Boards.

**Moved Crs Edgar/Maling
CN10-10-09**

THAT Tasman District Council:

- a) appoints Crs M Bouillir and N Riley to the Golden Bay Community Board;**
- b) appoints Crs J L Inglis, E J Wilkins and B F Dowler to the Motueka Community Board.**

CARRIED

3.4 Elected Members Remuneration – RCN10-10-09

Mr Staite spoke to the report contained in the agenda which provided Council with the necessary background information to facilitate a recommendation to the Remuneration Authority regarding future remuneration.

**Moved Crs Bryant/Glover
CN10-10-10**

THAT the Tasman District Council approves Model G to be used as the basis for Councillor and Community Board member remuneration.

CARRIED

3.5 Expenses, Allowances and Reimbursement Rules – RCN10-10-10

Mr Staite spoke to the report contained in the agenda which provided Council with the necessary background information to facilitate a recommendation to the Remuneration Authority for Council's Expenses, Allowances and Reimbursement Rules dated October 2010.

Clause 27 was amended to read: "The cost of a member ... previously resolved to do so, or, if previously approved by the Mayor."

Discussion was held on provision for childcare and advice from Mr Staite was that the Remuneration Authority's view is they would not approve payment for childcare.

**Moved Crs Bryant/Edgar
CN10-10-11**

**THAT the Tasman District Council write to the Remuneration Authority, Local Government New Zealand and the Auditor General concerning childcare expenses for councillors.
CARRIED**

**Moved Crs King/Edgar
CN10-10-12**

**THAT the Tasman District Council recommends to the Remuneration Authority that the Expenses, Allowances and Reimbursement Rules dated October 2010 be approved.
CARRIED**

3.6 Annual Report 2010 – RCN10-10-11

Accounting Manager, R Holden and Financial Accountant, B Grammer were in attendance for presentation of the Annual Report.

Council is required under the Local Government Act 2002 to adopt its 2010 Annual Report by 31 October 2010.

Messrs Staite, Holden and Grammer spoke to the report contained in the agenda. The 2010 Annual Report was circulated to Councillors prior to the meeting.

**Moved Crs Glover/Ensor
CN10-10-13**

**THAT the Tasman District Council adopt the 2010 Annual Report.
CARRIED**

3.7 Mayor's Report for September/October 2010 – RCN10-10-12

The Mayor's report for September/October 2010 was included in the agenda.

**Moved Mayor Kempthorne/Cr Bryant
CN10-10-14**

**THAT the Mayor's Report – RCN10-12-12, be received by the Tasman District Council.
CARRIED**

3.8 Machinery Resolutions – RCN10-10-14

The queries raised on the Fox lease at a previous Council meeting are to be addressed and reported back to Council and also whether the Motueka Community Garden Group is a legal entity.

**Moved Crs Riley/Bouillier
CN10-10-15**

THAT the Tasman District Council confirm the execution of the following documents under the Seal of Council:

BOND

KM & EP Fry, RM940151, NN940190, Carry out quarry operations

CONVENANT

R Brooks Estates Ltd, RM081126, Covenant that workers accommodation authorised on the site shall not be a reason for subdivision and it shall be removed if no longer required

LEASE

Westpac Bank, 51003L1, Renewal of Lease including rent review for ground floor and first floor of 255 Queen Street, Richmond

EASEMENT

M & B Fraser, RM080804, Easements for drainage - natural surface overland flow - Lot 8 is to be a pedestrian walkway

LEGAL AGREEMENT

Ministry of Tourism/Tasman District Council, Funding agreement for \$2.6 million for cycleways project

LICENCE

Head & Garland, 41702L1, Two year term for bach occupying road reserve - Motueka Valley

Collingwood Boat Club Incorporated, Licence to occupy new boat ramp in Collingwood

Motueka Community Garden Group, Licence to occupy the Motueka mudflats as a community garden

Vodafone, 32001L1, Renewal and Licence fee review for 5 year term for Vodafone telecommunications facility at Rabbit Island

MEMORANDUM OF UNDERSTANDING

Tasman Bays Heritage Trust and Tasman District Council

STATEMENT OF INTENT

Tourism Nelson Tasman Ltd 2010/2011

TRMP

**Tasman Resource Management Plan - makes operative the Plan changes as agreed by Resolution at Environment and Planning meeting 23 September 2010
CARRIED**

4 SUBMISSION TO THE LOCAL GOVERNMENT COMMISSION ON THE PROPOSAL FOR THE AMALGAMATION OF NELSON CITY AND TASMAN DISTRICT – RCN10-10-13

Mr Wylie spoke to the report which was contained in the agenda. The draft submission was circulated prior to the meeting. Mr Wylie acknowledged Susan Edwards, John Cook and Jeff Jones for the work they have done in preparing the submission.

Ms Edwards tabled figure 10 which was missing from the original draft and a list of the appendices with a brief summary of them.

The report sought:

- a) Approval of the submission to the Local Government Commission on the proposal to amalgamate Nelson City and Tasman District, as contained in the document sent out to Councillors under separate cover;
- b) Agreement of the final submission being signed off by the Mayor, Deputy Mayor and Cr Bryant prior to being sent to the Local Government Commission;
- c) Agreement to advise the Local Government Commission that Council does not support the proposal to amalgamate Nelson City and Tasman District and request that it not proceed with the proposal following consideration of the submissions and the information provided in the Tasman District Council submission.

Mr Wylie said the petition is now defined as seeking a merger, “the choice” is therefore to either have the existing two unitary councils or one big unitary council, there are no other options are on the table.

**Moved Crs Bryant/Edgar
CN10-10-16**

THAT the Tasman District Council:

- a) Approves the submission being sent to the Local Government Commission on the proposal to amalgamate Nelson City and Tasman District, as contained in the document sent out to Councillors under separate cover, as amended;**
- b) Agrees to the final submission being approved by the Mayor, Deputy Mayor and Cr Bryant prior to being sent to the Local Government Commission;**
- c) Asks the Local Government Commission not to proceed with the proposal following consideration of the submissions and the information provided in the Tasman District Council's submission;**
- d) Advises the Local Government Commission that it does not support the proposal to amalgamate Nelson City and Tasman District.**

CARRIED

Submissions will be heard on 15 – 17 December 2010.

The meeting concluded at 12.18 pm.

Date Confirmed:

Chair:

TASMAN DISTRICT COUNCIL STANDING COMMITTEES	
MAYOR ex-officio on all Committees	R Kempthorne
DEPUTY MAYOR	Cr King
COMMUNITY SERVICES	ENGINEERING SERVICES
Cr Edgar Cr Riley	Cr Norriss Cr Dowler
CORPORATE SERVICES	ENVIRONMENT AND PLANNING
Cr King Cr Glover	Cr Bryant Cr Ensor
TASMAN REGIONAL TRANSPORT COMMITTEE	
Cr Norriss (Chair) Cr Dowler Cr Mirfin Cr Riley Cr Edgar	

TASMAN DISTRICT COUNCIL SUBCOMMITTEES	
MAYOR ex-officio on all Subcommittees	R Kempthorne
COUNCIL ENTERPRISES (Reporting to Corporate Services) Cr Riley (Chair) Cr Norriss Cr Bryant Cr Inglis Cr Glover	CREATIVE COMMUNITIES (Reporting to Community Services) Cr Riley (Chair) Cr Edgar Plus community representatives
AUDIT (Reporting to Corporate Services) Cr Glover (Chair) Cr Inglis Cr Maling Cr Bouillir Cr Norriss Cr King	GRANTS AND COMMUNITY FACILITIES RATE (Reporting to Community Services) Cr Wilkins (Chair) Cr Edgar Cr King Cr Bryant Cr Bouillir
COMMUNITY AWARDS Cr Riley Cr Wilkins	DEVELOPMENT CONTRIBUTIONS Cr Norriss Cr Bryant
COMMUNICATIONS (Reporting to Corporate Services) Cr Wilkins (Chair) Cr Edgar Cr Mirfin Cr Bouillir	CEO REVIEW (Reporting to Council) Mayor Cr Edgar Cr Ensor

TASMAN DISTRICT COUNCIL REPRESENTATIVES AND APPOINTMENTS	
JOINT COMMITTEES OF NELSON AND TASMAN COUNCILS	
Joint Shareholders Mayor R Kempthorne Cr King Cr Glover In attendance: Chief Executive Corporate Services Manager	Nelson Regional Sewerage Business Unit Cr Glover M J Higgins
DIRECTORSHIPS	
Port Nelson Limited Cr King	Nelson Airport Limited To be advised
OTHER REPRESENTATIVES	
Accessibility for All Cr Edgar	
Friendly Towns Cr Wilkins	
Golden Bay Patriotic Welfare Committee Cr Riley	
<u>Local Government New Zealand</u> Zone 5 Mayor Chief Executive Regional Affairs Committee Mayor Chief Executive Rural and Provincial Sector Strategic Development Manager Deputy Mayor	
Maori Liaison/Ethnic Affairs Mayor	
Mayors Taskforce for Jobs – Nelson Tasman Connections Steering Group Mayor	
Nelson Tasman Business Trustee Cr Ensor	
Native Tasman Habitats Cr Ensor	
Patriotic Council Cr Inglis	
Positive Ageing Forum Cr Edgar	
Regional Funding Forum Cr King	

Cr Edgar
Rugby World Cup Cr Inglis
Saxton Field Working Group Cr Edgar Cr Ensor Cr Maling
Talking Heads Mayor Chief Executive
Tasman Bays Heritage Trust Appointments Committee Mayor Chief Executive
Tasman Environmental Trust Cr Ensor
Tasman Regional Sports Trust Board Mayor
Tasman Youth Council Cr Mirfin Cr Glover
TB Free/Animal Health Board Cr Norriss
Tenders Panel Cr Norriss Cr Bryant Cr Edgar Chief Executive
Economic Development Agency Mayor Cr Norriss