

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Thursday 9 December 2010  
**TIME:** 9.32 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

**IN ATTENDANCE:** Chief Executive Officer (P Wylie), Engineering Manager (P Thomson), Community Services Manager (L L Kennedy), Strategy Development Manager (S Edwards), Utilities Asset Manager (J Cuthbertson), Transportation Planning Officer (S Downs), Mapua Waterfront Park (D Robertson), Administration Officer (J A Proctor)

## APOLOGIES

**Moved Crs Inglis/Maling  
CN10-12-01**

**THAT apologies from Cr Wilkins for absence be received by the Tasman District Council.  
CARRIED**

### **1 PUBLIC FORUM**

#### **1.1 Ms H Gale**

Ms Gale spoke about the proposed Takaka Wastewater Treatment Plant and presented a petition signed by 340 people in opposition to the planned site. Ms Gale requested that Council consider alternative locations for the wastewater treatment plant.

#### **1.2 Mr R Samper**

Mr Samper spoke in opposition to the proposed location of the Takaka Wastewater Treatment Plant and requested that Council look at alternative sites.

#### **1.3 Mr F Cassin - Toru Street Residents Group**

Mr Cassin spoke on behalf of the Toru Street Residents Group in opposition to the Harcourts Real Estate business operating at 4 Toru Street, Mapua. Mr Cassin presented a dossier of photos and letters documenting the complaint.

#### **1.4 Mr C Robertson**

Mr Robertson spoke about the process surrounding consultation with the public and decisions made by Council.

### **2 CONFIRMATION OF MINUTES**

#### **2.1 Tasman District Council – 28 October 2010**

**Moved Crs Norriss/Mirfin  
CN10-12-02**

**THAT the minutes of the Tasman District Council meeting held on 28 October 2010 containing resolutions CN10-10-05 to CN10-10-16 be confirmed as a true and complete record by the Tasman District Council.  
CARRIED**

### **3 PRESENTATION – Nelson Tasman Tourism**

Chair Phil Taylor welcomed Lynda Keene as the new Chief Executive of Nelson Tasman Tourism (NTT) and spoke about NTT's future plans. Mr Taylor was accompanied by Nicki Van Asch.

Ms Keene gave a mihi and then presented to Council a PowerPoint covering the key issues facing NTT and its future development. A short question and answer session ensued.

Cr Glover left the meeting at 10.29 am.

The meeting adjourned at 10.29 am.

The meeting resumed at 10.46 am.

### **4 REPORTS**

#### **4.1 Presentation on Amalgamation Submission to Local Government Commission**

Strategic Development Manager Ms Edwards spoke to the report contained in the agenda and tabled documents titled "Nelson City Council Submission on a Proposal for the Union of Nelson City and Tasman District" and a draft copy of "Presentation of Tasman District Council's Submission to the Local Government Commission on the Proposal for a Union of Nelson City and Tasman District".

The purpose of the report was to seek agreement to the Mayor, Deputy Mayor and Chief Executive Officer presenting to the Local Government Commission the Council's submission on the proposal for the amalgamation of Nelson City and Tasman District: and to seek agreement to the general content of the verbal submission that will be presented to the Local Government Commission (LGC).

Cr Glover returned to the meeting at 10.52 am.

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It was suggested that Cr Bryant be part of the delegation presenting to the LGC.

It was requested that the “Hands Off Tasman” petition which attracted approximately 3,500 signatures be noted in the Key Messages part of the submission. Some 400 individuals who signed the petition had requested that they speak to the LGC.

A discussion ensued regarding the indicative timeframes proposed by the LGC to deal with the issue, and it was agreed that Council supported the dates volunteered.

**Moved Crs Edgar/Norriss  
CN10-12-03**

**THAT the Tasman District Council:**

- 1. Agrees to the Mayor, Deputy Mayor, Chief Executive and Cr S G Bryant presenting the Council’s verbal submission to the Local Government Commission on the proposal for the amalgamation of Nelson City and Tasman District during the hearings from 14 – 18 December 2010, and to deal with the final observations and questions session.**
  - 2. Approves the verbal submission to the Commission, as tabled at the meeting.**
- CARRIED**

**4.2 Central Richmond Project – RCN10-12-02**

Engineering Manager Mr Thomson spoke to the report contained in the agenda.

The purpose of the report was to provide the Tasman District Council with an update on the project to date with the Central Business District (CBD) development plan for Richmond.

**Moved Crs Norriss/Glover  
CN10-12-04**

**THAT the Central Richmond Project Report RCN10-12-02 be received by the Tasman District Council.**  
**CARRIED**

**4.3 Mapua Wharf Sewage Pumping Station – RCN10-12-03**

Community Services Manager Mr Kennedy and Mapua Waterfront Park Project Manager Don Robertson were in attendance to speak to the report contained in the agenda.

The purpose of the report was to advise the Council of the proposed site for the new sewage pumping station at the Mapua Wharf and to seek Council approval to the site.

The Council was provided with an update on discussions held between the Mapua Business Association and residents of the area attended by Mayor Kempthorne and Councillors Edgar and Ensor. It was stated that one of the key issues was the visual impact of the sewage pumping station and that option one was the preferred choice of the Mapua Business Association and residents who had attended the meeting.

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Staff advised that further information was now available indicating that additional costs relating to option one would be in the region of \$500,000.00. Reserve Financial Contributions could not be utilised to assist with any additional costs relating to this project. A discussion ensued and staff provided Council with details of further works and the potential effect on the community if option one was chosen.

Mr Robertson advised that the conceptual design could be amended to reduce any potential impact option two may have on the visual amenity of the area.

**Moved Crs Norriss/Dowler  
CN10-12-05**

**THAT, subject to any necessary consents and the suitability of the site, the new sewage pumping station in Mapua be constructed along the northern boundary of the Mapua Waterfront Park as shown as Option two on the attached plan.  
CARRIED**

It was stated that the community should be advised of Council's decision and the reasons for it as quickly as possible.

**Moved Crs Maling/Edgar  
CN10-12-06**

**THAT the Tasman District Council communicate back to the community the reasons for the decision.  
CARRIED**

**4.4 Mayor's Report for October/November 2010 – RCN10-12-04**

Mayor Kempthorne spoke to the report contained in the agenda.

Cr Bouillir left the meeting at 12.08 pm.

Cr Bouillir returned to the meeting at 12.10 pm.

Note amendments to report on page 13 of the agenda that any reference to "Nelson Bays Community Trust" should read "Nelson Bays Community *Foundation*".

**Moved Crs Glover/Inglis  
CN10-12-07**

**THAT the Mayor's report RCN10-12-04 be received by the Tasman District Council.  
CARRIED**

#### **4.5 Machinery Resolutions – RCN10-12-05**

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

**Moved Crs Norriss/Inglis  
CN10-12-08**

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

#### **COVENANT**

**Karen E Steadman, RM080705, Council has granted a consent to allow the de-amalgamation of an existing title, subject to conditions to minimise visual and traffic safety effects**

**David and Lucielle Goode, RM100374, Covenant to encumber the two certificates of title involved in development of a backpacker's accommodation**

**N D & K M Rukuwai, RM100587, Covenant to help prevent fragmentation of Rural 1 land while a dwelling replacement development is undertaken**

**Lauri-Ann Bowen, RM100407, Covenant to ensure that the construction of a self contained unit on the site is not used as justification for subdivision**

**FA & AM Butler, RM100079, Ongoing restructure regarding the use of a second dwelling**

**Medipysch Ltd, RM100261, A covenant limiting the size and use of a second dwelling on the property**

#### **EASEMENT IN GROSS**

**Tavendale, RM100213, Creates an easement in gross over Council's existing sewer infrastructure where it crosses this property at 96A Commercial Street**

#### **LICENCE**

**Ra's Café, 50415L1, One year licence to occupy outdoor dining at Ra's Café (new owner C Kito)**

**Weingut Seifried, Licence to lay a pipe under the Council road**

#### **RESOLUTION**

**Varoa Agency Incorporated, Resolution to dis-establish the Varoa Agency**

**CARRIED**

#### **5 RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Glover/Ensor  
CN10-12-09**

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

**Amendment to Resolution**

**Lee Valley Dam**

**Interim Management Group**

**Review of Director and Trustees Fees**

**Nelson Regional Sewerage Business Unit – Member Re-appointment**

**Tourism Nelson Tasman – Director Appointment**

**Nelson Airport Ltd - Directorship**

**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>
Amendment to Resolution	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Lee Valley Dam	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Interim Management Group	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Review of Director and Trustees Fees	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Nelson Regional Sewerage Business Unit – Member Re-Appointment	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Tourism Nelson Tasman – Director Appointment	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Nelson Airport Ltd - Directorship	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>
Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)
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**CARRIED**

(Refer to Confidential Minute book containing resolutions CN10-12-10 to CN10-12-16)

## **6 RESOLUTION TO RESUME PUBLIC MEETING**

**Moved Crs Edgar/Maling  
CN10-12-17**

**THAT public meeting be resumed.  
CARRIED**

The meeting closed at 2.11 pm.

Date Confirmed:

Chair: