

MINUTES

TITLE: Tasman District Council
DATE: Thursday 3 November 2011
TIME: 10.15 am
VENUE: Tasman Council Chamber, 189 Queen Street,
Richmond.

PRESENT: Mayor R G Kempthorne, Crs T B King, G A Glover,
J L Inglis, B F Ensor, M L Bouillir, Z S Mirfin, E J Wilkins,
C M Maling, P F Sangster, T E Norriss, J L Edgar,
S G Bryant

IN ATTENDANCE: Motueka Community Board Chair (D J Ogilvie)
Golden Bay Community Board Chair (C McLellan)
Acting Chief Executive (D C Bush-King)
Corporate Services Manager (M W Staite)
Executive Assistant (V M Gribble)

APOLOGIES

Moved Crs Bryant/Wilkins
CN11-11-01

THAT apologies for absence from Cr B F Dowler be received.
CARRIED

1 PUBLIC FORUM

1.1 Jim Matringa

Mr Matringa sought direction from Council on the lease of his property at Mapua Wharf where he has his brewery. He wishes to grow his business but needs security of the lease and it needs to be long term.

Mr Matringa tabled a petition in support of his request.

1.2 Peter O'Halloran

Mr O'Halloran supported Mr Matringa's submission to Council.

1.3 Simon England

Mr England supported Mr Matringa's submission to Council.

1.4 Richard Eubank

Mr Eubank spoke in support of Mr Matringa's submission.

1.5 Chris Little

Mr Little also spoke in support of Mr Matringa's submission.

1.6 Jane Reid

Ms Reid supported Mr Matringa's submission.

1.7 Peter Owen

Mr Owen spoke about Best Island access to the thirty-two landlocked properties. He sought Council assistance in discussion with neighbours to secure legal access to properties on Bells Island.

2 CONFIRMATION OF MINUTES

2.1 Full Council 22 September 2011

**Moved Crs Ensor/Glover
CN11-11-02**

THAT the minutes of the Full Council meeting held on 22 September 2011, containing resolutions CN11-09-05 to CN11-09-19 be confirmed as a true and complete record.

CARRIED

2.2 Extraordinary Council 29 September 2011

**Moved Crs Norriss/Glover
CN11-11-03**

THAT the minutes of an Extraordinary Council meeting held on 29 September 2011 containing resolutions CN11-09-20 to CN11-09-25 be confirmed as a true and complete record.

CARRIED

2.3 Extraordinary Council 6 October 2011

**Moved Crs Inglis/King
CN11-11-04**

THAT the minutes of an Extraordinary Council meeting held on 6 October 2011 containing resolutions CN11-10-01 to CN11-10-05 be confirmed as a true and complete record.

CARRIED

3 PRESENTATIONS

3.1 Chorus – Network Upgrades

Caitlin Metz (Vodafone), Jo Seddon and Wally McCallum (Chorus) presented to the Council on the Rural Broadband Initiative (RBI). Telecom will be delivering schools objectives and fibre and Vodafone will deliver the community objective.

They want to work closely with Council to ensure a smooth delivery of the RBI programme.

3.2 Nelson Tasman Tourism – Update

P Taylor (Chair) and L Keene (Chief Executive) were in attendance to give an update on the activities of Nelson Tasman Tourism.

Mr Taylor presented his Chairman's Report for the year.

Ms Keene gave a powerpoint presentation giving an update on Nelson Tasman Tourism activities over the year and answered questions from the Council. .

4 REPORTS

4.1 Conflict of Interest Protocol – RCN11-11-01

The report contained in the agenda sought to update the 1993 Conflict of Interest Protocol established to manage those situations where Council is both regulator and applicant.

Moved Crs Wilkins/Mirfin CN11-11-05

**THAT the Tasman District Council receives the Conflict of Interest Protocol Report RCN11-1101 and adopts the Conflict of Interest Protocol attached as Appendix 2 to Report RCN11-11-01.
CARRIED**

4.2 Remuneration Authority Review – RCN11-11-02

The purpose of the report was to obtain Councillor agreement to a submission to the Remuneration Authority on the process for setting elected member remuneration. Councillors have received a copy of the review document.

Moved Crs Bryant/Sangster CN11-11-06

**THAT the Tasman District Council adopts the proposed submission to the Remuneration Authority in Appendix 1 to report RCN11-11-02.
CARRIED**

4.3 Elected Members: Expenses, Allowances and Reimbursement Rules – RCN11-11-03

The report in the agenda provided Council with the necessary background information concerning the Remuneration Authority's determination concerning elected member expenses and allowances and to approve for Council's Expenses, Allowances and Reimbursement Rules dated November 2011.

"No reimbursement for purchase from hotel mini-bars or charges for in-room services" to be added to Clause 7.9.

Luncheon adjournment was taken at 12.43 pm.
The meeting resumed at 1.19 pm.

Mr Staite arrived at the meeting at 1.19 pm.

Cr Bouillir expressed concern at the rules and noted that she would be out of pocket by thousands of dollars because of them.

Mr Staite said Council should be operating within the guidelines of the Remuneration Authority, but continue to debate the issue with them. He suggested that he and Mayor Kempthorne should go and talk to the Authority about the specific issues that are affecting the Council.

Mrs McLellan considered it was a rural equity issue which disadvantaged especially the rural representatives. She tabled a paper demonstrating how she will be losing \$3,448 per year by being a Community Board member. She also asked that child care be addressed.

Mr Staite said the child care issue was addressed with the Remuneration Authority about 18 months ago and they would not reconsider their position.

Cr King didn't believe it would be in the Council's interest to pursue the matter. He noted that Council makes decisions that ratepayers don't like and they have the opportunity to submit but Council still makes these hard decisions. He also noted that in most councils all councillors do not sit on all standing committees like Tasman Councillors do.

Mayor Kempthorne said the Remuneration Authority have looked at a lot of detail in the matter and came and spent time here at Tasman. They believed the payments have to be fair to ratepayers. He said there are a lot of rural authorities who think the same as our rural Councillors and Community Board members.

Cr Edgar noted the determination is in place until 30 June 2012 and she suggested that Council collect data from councillors and others to put to the Remuneration Authority prior to the 2012 determination.

Cr Glover commented on the amount of time and work that is involved with Council and said that as Councillors we need to look at how we can work more efficiently. She also noted that the \$10 for lunch is not sufficient.

Cr King said there is a significant element of community service involved in the position of Councillor. He supported submissions being made to the next determination.

**Moved Crs Sangster/Norriss
RN11-11-07**

THAT the Tasman District Council;

- a) recommends to the Remuneration Authority that the Expenses, Allowances and Reimbursement Rules dated November 2011 and attached as Appendix 2 to report RCN11-11-03, as amended, be approved.**
- b) authorise the Mayor and Chief Executive Officer to prepare a presentation to the Remuneration Authority in preparation for the next Determination.**

CARRIED

Mr Staite advised there will be a new form provided to Councillors and log books will be required to be kept. When limits are close to being reached letters will be written to Councillors advising them.

4.4 Chief Executive Officer's Report – RCN11-11-05

Mr Bush-King spoke to his report which provided an update on various matters.

His report covered the following topics:

- Long Term Plan 2012 – 2022 which will be adopted at the January 2012 meeting.
- Dis-establishment of Council's Enterprise Subcommittee.
- Best Island legal and physical access
- Rena Oil Spill
- Sub-National Population Estimates

Council discussed the issue of dis-establishing Council's Enterprise Subcommittee.

Mr Bush-King said Ernst Young have been commissioned to bring back information to Nelson City Council and Tasman District Council on a holding company. He also noted that work is underway to identify Council's commercial assets and in particular, properties that may be developable/saleable.

**Moved Crs Wilkins/Bouillir
RN11-11-08**

THAT the Tasman District Council request the Chief Executive Officer to report on the changes to the Delegations Register required to dis-establish the Council Enterprises Subcommittee and transfer powers and functions to the Corporate Services Committee.

CARRIED

Mr Bush-King said the people at Best Island do have legal access, but it is only by sea and that the current landowners whose property the road traverses have stated that they are not going to deny other Best Island residents access through their property. A

sign has been erected to discourage people other than residents and trades people from going across the private property and the owners are going to put a gate in. The Council is not in a position to acquire land for access but is prepared to convene a meeting with the landowners and other property owners on Best Island.

Mr Bush-King advised that Council has been highly commended for its Annual Report by the Office of the Auditor-General.

**Moved Crs Edgar/Bryant
RN11-11-09**

THAT Tasman District Council;

- a) receives the Chief Executive's Report RCN11-11-05; and**
- b) requests the Chief Executive Officer to review the Council's property and assets and where they are managed within Council and report back to Council by the end of February 2012.**

CARRIED

Cr King and Mr Bush-King left the meeting at 2.20 pm.

4.5 Mayor's Report – RCN11-11-04

The Mayor spoke to his report contained in the agenda which advised Council of his activities during the month.

Mayor Kempthorne recommended that Cr C M Maling be appointed to the role of Nelson Tasman Business Trustee as Council representative.

**Moved Crs Norriss/Edgar
RN11-11-10**

THAT the Tasman District Council:

- a) receives the Mayor's Report September/October 2011 (RCN11-11-04); and**
- b) appoints Cr C M Maling to the Nelson Tasman Business Trust as the Council representative.**

CARRIED

4.6 Machinery Resolutions

The agenda contained a list of documents signed under Council seal which required confirmation by Council.

**Moved Crs Norriss/Ensor
CN11-11-11**

THAT the Tasman District Council receives the Machinery Resolutions report RCN11-11-06 and that the execution of the following documents under the Seal of Council be confirmed:

Contract for Services

Parks and Reserves (Community Services Department), Contract for Parks and Reserves Asset Management - Murchison

Covenant

James and Gwenda Griffiths, RM100122, Dwelling be used as on 'single self-contained housekeeping unit' where presence of kitchenette on ground floor will not result in second self-contained house keeping unit

Deed

Fulton Hogan, 20001L1, Deed of lease - three year term for Fulton Hogan to occupy Fairfax Street, Murchison site

Joanna Stevenson, 12506L1, Lease renewal, Joanna's Salon, 24 Commercial Street, Takaka. Right of renewal 2 x 5 years

Strategic Investments, Deed of termination of License - to terminate licence to occupy carpark at 302 Queen Street, Richmond

Graedon Holdings Ltd and Kowhai Enterprises Ltd, Deed of Licence to occupy carpark at 302 Queen Street Richmond

MBD Contracting Ltd/Taylors Contracting Company Ltd/Tasman District Council, CN110853, Deed of Novation - MBD Contracting Ltd awarded contract #853 and unable to fulfil. Taylors Contracting Co. Ltd to assume all rights and obligations under the contract.

Licence

Dion Leigh - Wharariki Camp, 10470, Licence to occupy legal road - provide a coffee kiosk for campers at Wharariki Road Puponga Golden Bay

Missy's Café - Carolyn and Grant Hansen, License to occupy outdoor dining area at Edward Street, Wakefield

CARRIED

The meeting concluded at 2.30 pm.

Date Confirmed:

Chair: