

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Thursday, 26 July 2012  
**TIME:** 10.15 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, Z S Mirfin, C M Maling, T E Norriss, P F Sangster, E J Wilkins

**IN ATTENDANCE:** Chief Executive (L McKenzie)  
Corporate Services Manager (M W Staite)  
Executive Assistant (V M Gribble)

## APOLOGIES

Moved Crs Glover/Norriss  
CN12-07-06

**THAT apologies from Cr T B King for absence be received.**  
**CARRIED**

### 1 PUBLIC FORUM

#### 1.1 R Hellyer

Mr Hellyer said that he had raised the matter of fees charged for a water right application at a previous public forum and he spoke about responses he had received since which he was not satisfied with.

#### 1.2 M Clark

Mr Clark requested a rates remission for his land in Lower Queen Street which has been rezoned with the result that rates have increased by 400%.

#### 1.3 S Frater

Mrs Frater tabled a letter from Motueka Arts Council which thanked Council for the Kaka Beak Sculpture which was recently installed in Motueka.

#### 1.4 C Robinson

Mr Robinson spoke about the costs involved in producing newsletters to ratepayers.

#### 1.5 R Aberhart

Mrs Aberhart spoke about the Positive Aging Strategy and the Positive Aging Forum of which she is the Chairperson. Mrs Aberhart was concerned that a lot of relevant information does not get to the Positive Aging Forum. She sought Tasman District Council support for the Forum.

**1.6 P Griffith**

Ms Griffith thanked Council for initiating the broad-ranging review of the Nelson Provincial Museum. She asked Council to reconsider the funding after the review.

**1.7 M Rodwell**

Mr Rodwell said he would be concerned if large amounts of money were spent on the Isele Park museum complex.

**1.8 D Benson**

Mr Benson was concerned about a recently-consented application to drop 1080 poison over a large area of land in Golden Bay, by the Animal Health Board. He submitted that applications should be notified to enable residents to have a say.

**1.9 F Cameron**

Ms Cameron concurred with Mr Benson's submission and is also concerned about the drop of 1080 poison.

**2 LATE ITEM – REFERRAL FROM COMMUNITY SERVICES COMMITTEE – DOMINION FLATS**

**Moved Crs Ensor/Bryant  
CN12-07-07**

**THAT the late item - Referral from Community Services Committee – Dominion Flats – be considered at today's Council meeting.  
CARRIED**

**Moved Crs Norriss/Ensor  
CN12-07-08**

**THAT the Tasman District Council:**

- a) approves the acquisition of part of Sections 9 and 10 SO 445119;
- b) approves the disposal of Part Lot 2 DP 20482.

**CARRIED**

**3 CONFIRMATION OF MINUTES**

**3.1 Full Council – 27 June 2012**

**Moved Crs Norriss/Maling  
CN12-07-09**

**THAT the minutes of the Full Council meeting held on 27 June 2012 containing resolutions CN12-06-14 to CN12-06-17 be confirmed as a true and complete record.  
CARRIED**

## **4 REPORTS**

### **4.1 Commercial Subcommittee – Terms of Reference (RCN12-07-04)**

Corporate Services Manager, Murray Staite, spoke to the report included in the agenda which considered the terms of reference for the recently-approved Commercial Subcommittee.

Discussion was held on the appointment of Directors and the process of finding them. It was considered that a consultant has the necessary expertise to find Directors who would be a good fit. Concern was expressed at an initial five year appointment for a non-elected member.

Item 2.8 in Appendix 2 was amended to have appointments for two-years, three-years and four-years.

Cr Sangster questioned the need for a Commercial Subcommittee and said Councillors were elected to make decisions on behalf of their communities. He was concerned that \$20,000 was going towards fees.

In answer to a question, Mr Staite said the subcommittee will need to ensure appropriate returns are achieved. He said the subcommittee can only approve operating and capital expenditure within authorised budgets that comply with Council's Long Term Plan, Annual Plan and Treasury Policy.

Cr Bouillir sought assurance that Council is in control of the Subcommittee.

Mr Staite said Council would be firmly in control of the entity.

Cr Norriss understood Council had voted to form a Commercial Subcommittee, and this meeting is reconsidering the terms of reference which were debated at a previous Council meeting. That was confirmed.

Mayor Kempthorne said the subcommittee is about having a commercial focus for the commercial activities and having the right people to do it.

Cr Glover supported the recommendation and said the Nelson region has a wealth of business talent that could be utilised. She considered the independence was important but the two Councillors would tie it back to Council. She believed Port Tarakohe needed to be incorporated.

Mr Staite said the portfolio included forestry, camping grounds, aerodromes and commercial property and that Port Tarakohe could be added later.

#### **Moved Crs Edgar/Dowler CN12-07-10**

**THAT the Tasman District Council:**

- a) receives the Commercial Subcommittee: Terms of Reference Report  
RCN12-07-04; and**

- b) agrees to the Commercial Subcommittee Terms of Reference as laid out in Appendix 1 (attached to the report); and
- c) agrees that the Chair of the Corporate Services Committee be a member and Chair of the Commercial Subcommittee; and
- d) agrees that the Mayor of the Tasman District Council recommend for Council's consideration appointment of the second elected member of the Commercial Subcommittee; and
- e) agrees to the criteria for selection of non-elected independent members of the Commercial Subcommittee as noted in Appendix 2, as amended, (attached to the report); and
- f) agrees to the process for appointment of non-elected independent members of the Commercial Subcommittee as noted in Appendix 2 (attached to the report).
- g) agrees to the process for reappointment of non-elected independent members of the Commercial Subcommittee as noted in Appendix 2 (attached to the report)

**CARRIED**

### **3.2 South Island Strategic Alliance – Terms of Reference (RCN12-07-05)**

Chief Executive, Lindsay McKenzie, spoke to the report contained in the agenda which discussed the South Island councils working more collaboratively.

Mayor Kempthorne said the terms of reference are being considered at all South Island councils. The intention is the twice-yearly meetings will be held just before the joint zones meeting. Roothing in the South Island and securing funding for rural roading and impacts of drinking water standards on, in particular, smaller councils, is the work being looked at.

**Moved Crs Bryant/Norriss  
CN12-07-11**

**THAT the Tasman District Council:**

- a) receives the South Island Strategic Alliance – Terms of Reference report RCN12-07-05;
- b) adopts the Terms of Reference for the South Island Strategic Alliance dated 5 July 2012 (attached to the report).

**CARRIED**

### **3.3 Top of the South Shared Services – Memorandum of Understanding (RCN12-07-06)**

Chief Executive, Lindsay McKenzie, spoke to the report contained in the agenda. The purpose of the report was to advise Council about an initiative that has been taken by the three Mayors of the unitary councils at the top of the South Island. They want a greater commitment to jointly procuring goods and sharing services.

Cr Bryant sought assurance that this is a collaborative, rather than competitive process.

Mr McKenzie said there could be tensions, eg if employment was lost in one area.

Mayor Kempthorne has said shared services will only occur where there is benefit to all three councils and having a dedicated staff member to work on it will be the key in addressing the issues.

Cr Bryant said Marlborough Roads is strong in Marlborough. He sought assurances about the roles of the respective councils under this model.

Mayor Kempthorne said a joint three council and NZ Transport Agency process is starting and will be looking at all opportunities and it may be that Marlborough Roads model is adopted, but we want to look at the big picture first.

Cr Norriss said if a shared service was going to cost more, he hoped there would still be the opportunity to go with our own contractor.

**Moved Crs Edgar/Sangster  
CN12-07-12**

**THAT the Tasman District Council:**

- a) receives the Memorandum of Understanding – Shared Services Report (RCN12-07-06); and
- b) adopts the Memorandum of Understanding – Shared Services

**CARRIED**

Luncheon adjournment was taken at 12.18 pm.  
Crs Norriss and Bryant and Mr McKenzie left the meeting at this stage.  
The meeting resumed at 12.54 pm.

**3.4 Mayor's Report – RCN12-07-08**

The Mayor's Report included a commentary of the Mayor's activities for June and July 2012, for Councillors' information.

**Moved Crs Sangster/Bouillir  
CN12-07-13**

**THAT the Tasman District Council receives the Mayor's Report for June and July 2012 (RCN12-07-08).**

**CARRIED**

Crs Norriss and Bryant and Mr McKenzie returned to the meeting at 1.00 pm.

Mayor Kempthorne and Crs Maling and Bouillir reported back on the Local Government New Zealand conference.

**3.5 CEO Activity Report – RCN12-07-07**

Chief Executive, Lindsay McKenzie, spoke to the report contained in the agenda. The report informed Council about the operational activities of the Chief Executive for the period to 19 July 2012.

Mr McKenzie advised that in future Action Reports will be brought to Full Council and each standing committee.

**Moved Crs Norriss/Glover  
CN12-07-14**

**THAT the Tasman District Council receives the Chief Executive's Activity Report (RCN12-07-07).  
CARRIED**

### **3.6 Machinery Resolutions (RCN12-07-09)**

**Moved Crs Wilkins/Mirfin  
CN12-06-15**

**THAT the Tasman District Council receives the Machinery Resolutions report RCN12-07-09 and that the execution of the following documents under the Seal of Council be confirmed:**

#### **Banking Facility**

**Banking Facility – for Tasman District Council - Changes to Banking Facility arrangements for Multi-Option credit line facility  
Covenant**

**D & H Hay, RM100483V1, Covenant required by condition of consent**

**David Baigent Family Trust, RM110350, Workers accommodation consented shall not provide basis for future subdivision and in the event the accommodation is no longer required by rural farm workers it shall be removed.**

#### **Licence**

**Tapawera Toy Library, 21944L1, Five year licence at Tapawera Recreation Reserve**

**Garland and Head, 41702L1, Bach occupying public legal road, Motueka Valley Highway, two year term.**

**CARRIED**

### **4 RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Bryant/Bouillir  
CN12-07-16**

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

#### **Waste Disposal Pricing – Delegation of Authority**

**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:**

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
4.1	Commercial Opportunities Report	Good reason to withhold exists under Section 7	Section 48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or 7 of that 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:

4.1	Enable a local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	7(2)(h)
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**CARRIED**

(Refer to Confidential Minutes, Resolution numbered CN12-07-17)

**Moved Crs Bryant/Edgar  
CN12-07-18**

**THAT open meeting be resumed.  
CARRIED**

The meeting concluded at 2.28 pm.

Date Confirmed:

Chair: