

Report No:	RGB11-08-01
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Report to: Golden Bay Community Board
Meeting Date: 9 August 2011
Report Author: Carolyn McLellan, Chair
Subject: **RGB11-08-01** – Report prepared for the meeting of 9 August 2011

1. Amalgamation Nelson Tasman Meeting 18th July 2011

The Golden Bay Community Board organised a panel of speakers to give their views on how they would perceive the proposed merger working and the pros and cons as they saw them.

The panel comprised Michael Coles and Gavin Beattie the Local Government Commission Advisors, Mayors Ado Miccio Nelson City Council (NCC) and Richard Kempthorne Tasman District Council (TDC), Councillors Derek Shaw (NCC) and Judene Edgar (TDC) and Philip Woollaston former Chairman Golden Bay County Council, Minister of Local Government and Conservation, Advisor to the United Nations, Mayor of Nelson and CEO and partner of Woollaston Estates Winery. We had questions submitted by some people in advance (unfortunately we didn't get through them all) and questions from the floor on a wide range of topics with the main theme being the powers of the Community Boards, delegations and both councils had questions relating to their debt levels.

We have had positive feedback from the people who attended as they thought it was a helpful forum and helped to clarify the process.

A very big 'thank you' to all the panellists who so generously participated.

Local Government advisors Michael Coles and Gavin Beattie emphasized the importance of submitting to the Proposal, and these submissions need to be in by August 19th

From Local Government - timeline for the process

The actual process will be subject to a number of factors, including the number of submissions received and the issues. However, if the scheme went through the entire process (i.e. if the Commission decided to issue a final scheme and both polls were in favour) a possible timeline is as follows:

19 August - submissions close

October - Hearings

December - LGC Final Decision

March 2012 - Polls Held

April - Order in Council prepared to give effect to the scheme (if poll successful).
The Order in Council would constitute the Transition Committee.

October 2012 – Elections*

1 November 2012- Council takes office.

*If the first election of a united council is held within 12 months (i.e. October 2012) of the next triennial local election, the following local election would occur in October 2016 (rather than October 2013).

Writing a submission

The Board has been asked about the possibility of running a seminar to help people write a submission. Many people are unsure of how to go about this -in reality a submission can be as simple or as detailed as you want to make it. I have asked the Weekly about the possibility of publishing a “*how to write a submission*” piece. If anyone is stuck and would like some assistance email or phone any Board member and we will either help you ourselves or arrange to get the necessary assistance.

2. Integrated Health Value Management Workshop

Along with other members of the IMG I attended this full day workshop in Motueka on the 13th July. Staff from the NMDHB, Nelson Bays Primary Health Organisation, Joan Whiting, Medical Centre Trust and Golden Bay Community Hospital also attended—a total of 26 participants.

This was a facilitated workshop bringing together all the key stakeholders to revise the current design and costs to allow the project to proceed to the next stage of development.

Participants were divided into groups for the afternoon session to look at whether there were opportunities to make improvements in value and address any areas of concern.

This was a very positive day and the Peddle Thorpe Health Architecture Team will refine the plans and report back. Peddle Thorpe is part of the consortia who report to and are funded by the Ministry of Health.

3. Extraordinary Meeting of Council - Tuesday 19th July

I have included here excerpts from the Full Council Agenda and Minutes. The Golden Bay Community Board was represented by Deputy Chair Leigh Gamby at this meeting.

There were two items on the Agenda:

1. The Golden Bay By-Election

Following the resignation of Golden Bay Ward Councillor Noel Riley, Council is required under the Local Electoral Act to conduct a by-election in the Golden Bay Ward.

Nominations are now open, Tuesday 19 July 2011, and close at 12.00 pm Tuesday 16 August 2011.

2. Nominations

Nominations open on Tuesday 19 July 2011 and close at 12 noon on Tuesday 16 August 2011. Nomination forms are available at the Golden Bay Service Centre or the Richmond office of the Tasman District Council.

Candidates must be nominated by two people, both of whom must be on the electoral roll for the Golden Bay Ward.

Candidates must be enrolled as a parliamentary elector anywhere in New Zealand and be a New Zealand citizen.

Full information and nomination forms are available on the Council website or from the Golden Bay Service Centre or Richmond office of the Tasman District Council.

The resolution that was passed was:

CN11-07-03

THAT Tasman District Council:

- a) receives report RCN11-07-01 on the Golden Bay By-election;**
- b) in accordance with the Local Electoral Act 2011 Section 117(1) Council resolves to fill the extraordinary vacancy in the Golden Bay Ward resulting from the recent resignation of Cr N Riley;**
- c) resolves that the candidates' names on the voting papers for the by-election be in alphabetical order by surname; d) pursuant to Section 79 of the Local Electoral Act 2001, the returned voting documents for the 2011 Golden Bay Ward by-election be processed during the voting period.**

2. The Council response to the Stateg.Ease Report.

LETTER TO LOCAL GOVERNMENT COMMISSION ON REPORT ERRORS – RCN11-07-02

From the Agenda:

6. PROS AND CONS AND EVALUATION OF OPTIONS

6.1 *The pros and cons of the options are as follows:*

Option (a) – do nothing with the information on the errors at this stage, but include the information in Council's submission to the Commission on the proposal in August.

6.2 There do not seem to be any benefits with this option. The key disadvantage with the option is that the public will be submitting on the proposal in the context of the information contained in the reports and will therefore not have accurate information on which to form their view of the proposal.

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6.3 This option is not recommended.

Option (b) – send the attached letter (with or without amendments) to the Local Government Commission and leave any action on the matters raised in the letter, to the Commission to decide.

6.4 This option has the advantage of making the Commission aware of Council's concerns about the inaccuracies contained in the report. It does not, however, give the Commission any idea of what Council expects it to do with the information.

6.5 It is likely that the Commission may decide to take no action on the matter and not to correct the report. If the Commission does not take any action, then any correction of the information will be reliant on the public being aware of the Council's concerns. Some members of the public may not believe that the information provided by the Council is correct unless the Commission corrects its own documents.

6.6 This option is not recommended.

Option (c) – send the attached letter (with or without amendments) to the Local Government Commission and request that the Commission puts the letter on its website and undertakes publicity to advise submitters of the errors, omissions and unsubstantiated assertions in the report

6.7 This option has the advantage of making the Commission aware of Council's concerns about the inaccuracies contained in the report. It also gives the Commission an idea of what Council expects it to do with the information. The Commission may agree to Council's request or it may choose not to.

6.8 *If the Commission agrees with Council's request, it will mean that the information provided by Council may be given some validity. It will, however, rely on the public reading both the Strateg.Ease report and the Council's letter to understand where the inaccuracies are in the report.*

6.9 *If the Commission does not take any action, then any correction of the information will be reliant on the public being aware of the Council's concerns. Some members of the public may not believe that the information provided by the Council is correct unless the Commission corrects its own documents.*

6.10 *This option is not the preferred option, but is preferable to options (a) and (b).*

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Option (d) – send the attached letter (with or without amendments) to the Local Government Commission and request that the Commission withdraw the report containing the inaccuracies; that the Commission corrects the errors, omissions and unsubstantiated assertions; then re-issues the report, undertakes publicity that the corrected report is available and extends the submission deadline

6.11 *This option has the advantage of making the Commission aware of Council's concerns about the inaccuracies contained in the report. It also gives the Commission an idea of what Council expects it to do with the information. The Commission may agree to Council's request or it may choose not to.*

6.12 *If the Commission agrees with Council's request, it will mean that the report will be corrected making it easier for the public submitting on the proposal to do so in the context of the correct information contained in the report.*

6.13 *If the Commission does not take any action, then any correction of the information will be reliant on the public being aware of the Council's concerns. Some members of the public may not believe that the information provided by the Council is correct unless the Commission corrects its own documents.*

6.14 *This is the preferred option.*

Option (e) – send the attached letter (with or without amendments) to the Local Government Commission and request that the Commission rescind its previous decision on the union proposal; then re-considers its decision on the union proposal based on the correct information; and then follows up with appropriate action depending on its new decision.

6.15 *This option would enable the Commission to reconsider the proposal in light of the correct information. It is unlikely, however, that the Commission would agree to this option given that there is an opportunity for it to make a decision on whether or not to proceed with the proposal following the submission and hearing stages of the process.*

6.16 *This option is not recommended.*

7. SIGNIFICANCE

7.1 This is not a significant decision according to the Council's Significance Policy. The matters relate to the information provided by the Commission, not directly to Council business.

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8. RECOMMENDATION/S

8.1 That the Council receives this report and adopts the draft resolutions contained in the report.

9. TIMELINE/NEXT STEPS

9.1 If the Council agrees with the recommendations contained in this report, the letter will be finalised and sent to the Commission. Staff will then prepare a submission to be sent to the Commission on the union proposal for Council's consideration at its meeting on 11 August 2011.

The Golden Bay Community Board had informally discussed these five options, a-e and had stated they would prefer option a or b.

However as we do not have a vote our preference was relayed in writing to the Mayor as a formality prior to the meeting.

From the Minutes 19th July Meeting

Chief Executive, Paul Wylie, spoke to the report contained in the agenda which outlined a large number of errors, omissions and unsubstantiated assertions contained in the Strateg.Ease report prepared for the Local Government Commission reports on the proposal for a union of Nelson City and Tasman District.

The report sought Council's agreement to a letter being sent to the Commission outlining those matters and seeking that the Commission takes action to rectify the situation to enable the public to submit on the proposal in the context of correct information contained in the report.

Councillors considered that the public should be able to make their decision based on factual information.

Moved Crs Edgar/Bryant

CN11-07-04

THAT the Tasman District Council:

a) receives the report Letter to Local Government Commission on Report Errors – Report RCN11-07-02;

b) approves the letter to be sent to the Local Government Commission as attached in the agenda as Appendix 1, as an open letter;

c) notes that the letter asks the Local Government Commission to withdraw the Strateg.Ease report on the union of Nelson City and Tasman District which

contains inaccuracies; correct the errors, omissions and unsubstantiated assertions contained in the report; then re-issue the report, undertake publicity that the corrected report is available and extend the submission deadline.

4. Outstanding Natural Landscapes (ONL's)

Board Member Symmons and I attended a facilitated working group at Kahurangi Lodge on the 20th July. Shelagh Noble Tasman District Council Landscape Planner organised this meeting which included representatives from all sectors of Golden Bay.

Tasman District Council has engaged Andrew Craig an experienced Landscape Architect, who has worked for private clients and other councils throughout New Zealand, to act as an advisor and to assist in the determination of what landscapes and features might be considered for ONF (Outstanding Natural Features) and ONL status. He had prepared a visual presentation and maps.

This was a very positive day where the working group participants reiterated their commitment to reaching a collaborative outcome.

The next meeting has been scheduled for the 12th of October-this recognises that farmers will be unable to attend for the next 3 months until after calving and lambing.

5. Grants from Rates Applications

The closing date for these applications is the end of August. In previous years the Golden Bay Community Board has made application from this fund to pay to have the street banners put up and taken down, also any repairs that need to be done either engineering or upholstery.

The Board has also in the past made applications to this fund for a work of art for the meeting room. Tasman District Council currently has the Golden Bay quilters' work "Abel Tasman Quilt", the Robin Slow work and the Cedric Savage painting hanging in the meeting room.

This room is used by any Council visitors to Golden Bay and to have these interesting works gives some reflection of the vibrant and artistic nature of the Golden Bay community.

Recommendation:

“That the Golden bay Community Board makes application to Grants from Rates for:

- 1. The erection, removal, and maintenance of the festive banners for the CBD at the holiday time;
and*
- 2. For the purchase of a “work of art” for the Golden Bay Service Centre Meeting room.”*

6. Motocross

The vexed question of the level of noise from bikes using the Motupipi motocross track is still very much an unresolved issue. Affected parties are still awaiting the final report from the Ombudsman.

The Enforcement Policy 2011 was received by Council on the 14th July 2011. Excessive noise is dealt with in this policy. It would be helpful to see if this will make any difference for those whose lives are affected by the motocross noise.

Recommendation:

“That the Golden Bay Community Board writes to Adrian Humphries, (Regulatory Services Manager), to seek clarity on noise issues in relation to this policy and Motocross.”

7. Aorere Event

Councillor Bouillir and Board Members were present in Bainham when Minister of Agriculture David Carter launched the fact sheet produced as collaboration between Aorere farmers and Land Care. The launch and lunch in the Bainham Hall was preceded by a farm walk to look at weeping walls; one at Robert and Debbie Haldanes' property and the other at Brian and Judy Nalder's.

8. Old Library Site

We are fielding enquiries on how this project is going and where we are up to with the design of the actual area and the playground. We have said we will have public meeting to show people what is planned however the planning stage has taken somewhat longer than we anticipated. This is still very much on our radar and we too want to see some progress.

The decision about the replacement building is also a frequently asked question.

Recommendation:

“That the Golden Bay Community Board makes it a priority to arrange a public meeting date in conjunction with the Community Services department.”

9. Congratulations to:

Successful Local Builder in the 2011 Nelson Registered Master Builders Awards: Steve Chamberlain of Golden Bay Builders who was the winner of the supreme award – House of the Year, and also the Lifestyle Award Winner.

Recommendation:

“That the Golden Bay Community Board writes to Steve Chamberlain congratulating him on his success in the House of the Year and the Lifestyle Award Winner awards.”

10. Golden Bay High School (GBHS) Building Structural Defects

We acknowledge the huge loss of a local landmark, the only two storied school in Golden Bay and was a one-off design not used anywhere else – the latter point is probably something the Ministry of Education will be thankful for when confronted by having to establish pre-fabricated classrooms in time for term 3.

It is very disappointing for the 150th committee, who are hosting past pupils and teachers this year for this milestone in the school’s history, to have the visitors denied access to the old school.

However GBHS is to be commended for the speed with which it acted to close access to the building ensuring that no students or teachers were at risk, I have spoken to Roger File offering written support if needed to ensure that GBHS suffers no long term disadvantaged as a result of this situation.

11. Cattle Crossings

We have had an enquiry regarding cow crossings in two different places. We are looking into what will be the best way of ensuring the road is kept as clean as possible and the surface of the road is attended to where it has become pitted and potholed. We acknowledge the willingness of farmers to be as proactive as possible in these circumstances.

12. Fire Alarms

The Pakawau Hall Committee is very concerned about the ongoing cost of the fire alarm testing regime which sees a Richmond firm make a monthly trip over the hill to test their alarm at a cost of \$90.00 per month. There are other halls being tested too at the same price and the Bainham Hall is charged \$150.00 per month. This is because there is no-one local is trained to do the testing. Another local hall has committee members trained to do their own testing and do not incur the monthly test cost.

Recommendation:

“That the Golden Bay Community Board makes enquires about the fire alarm testing in public facilities with a view to finding a more cost effective way of managing this issue of compliance.”

13. Powers of Community Boards and Delegations

The Golden Bay Community Board had a conference call discussion with CEO Paul Wyllie and Environment and Planning Manager Dennis Bush King re the proposed delegations offered by TDC.

At the July Golden Bay Community Board meeting the following resolution was passed:

*Moved Cr Bouillir/Board member Gamby
GB11/07/06*

- (a) THAT the Golden Bay Community Board supports the welcome report from the CEO RCN 11-06-18.*
- (b) THAT the Golden Bay Community Board prepares a submission to Tasman District Council in time for the Full Council Meeting on 11 August 2011.*
- (c) THAT this delegations submission be prepared in time for the agenda of Golden Bay Community Board meeting on 9 August 2011.*

CARRIED

We have prepared the submission (attached to the Chair's Report) for the next Full Council Meeting of 11th August 2011.

Recommendation

“That the attached delegations and governance document prepared by the Golden Bay Community Board, for Full Council meeting on 11 August 2011, be formally accepted by the Board and sent as a recommendation to Council.”

14. Coast Care - Pohara

Board member Symmons attended a meeting of Selwyn Street residents to discuss the Coastcare programme at Pohara. There were concerns raised about weed control and wind erosion when areas were cleared. David Sissons, Coastcare Consultant for Tasman District Council, Kathy Tohill, Horticultural Officer, and Coastcare contractor, Rob Lewis, were in attendance. There was agreement that a conservative management regime is appropriate while the new plantings are monitored.

Carolyn McLellan