

MINUTES

TITLE: Tasman District Council
DATE: Thursday 7 April 2005
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Mayor J C Hurley (Chair), Crs T B King (Deputy Mayor), S J Borlase, S G Bryant, R G Currie, E E Henry, M J Higgins, J L Inglis, R G Kempthorne, T E Norriss, E M O'Regan, N Riley and E J Wilkins.

IN ATTENDANCE: Chief Executive (R G Dickinson), Corporate Services Manager (D G Ward), Engineering Services Manager (P E Thomson), Service Centres Manager (D Blake-Gillard), Administration Advisor (S Hartley) and B D Moore (Administration Officer).

APOLOGIES

**Moved Crs Henry/Borlase
CN05/04/01**

**THAT apologies from Cr O'Shea for absence be sustained.
CARRIED**

1 PUBLIC FORUM

Ms P McKay of Nelson Aviation spoke of safety issues at Motueka Airport and opposed its use for drag racing.

Mr V D'Arth of Abel Tasman spoke of safety difficulties at Motueka Airport and opposed its use for drag racing.

Mr S Bean of Skydive Abel Tasman spoke of the frustration among the Motueka Airport users and referred to safety and financial issues, opposing that Airport's use for drag racing.

Mr J Gourdie of Nelson Drag Racing Association supported the continuing use of Motueka Airport for drag racing events.

Mr J Bryce, Chairman of the Ruby Bay and Ratepayers Association, spoke of a survey carried out among various residents and that this Association supports the proposed rock revetment adjacent to the Old Mill Walkway.

Mr M Stephens of Mapua said he had spoken to about 10 landowners who had expressed, without exception, that the proposed rock revetment work at Mapua should proceed.

Mr A Churchman said that funding of construction work for the rock revetment should be charged to all people in Tasman District.

2 CONFIRMATION OF MINUTES - 24 FEBRUARY 2005

Cr Norriss asked for the minutes to record his concern regarding the source for the extra funding of the new office building in Richmond.

**Moved Crs Kempthorne/Borlase
CN05/04/02**

**THAT the minutes of a meeting of the Tasman District Council held on Thursday 24 February 2005, containing resolutions CN05/02/07 to CN05/02/22, as amended, be approved as a correct record.
CARRIED**

3 REVIEW OF TRADING IN STREETS AND PUBLIC PLACES BYLAW

The agenda contained a report of 23 March 2005 from the Environmental Health Officer, Mr D R Lewis, and was accompanied by a complete copy of the revised Trading in Streets and Public Places Bylaw.

The Chief Executive explained the significant alterations to the proposed Bylaw and advised Council that all Bylaws are required to be reviewed by December 2007.

**Moved Crs O'Regan/Norriss
CN05/04/03**

**THAT, pursuant to Section 158 of the Local Government Act 2002, the Tasman District Council hereby reviews and amends the Trading in Streets and Public Places Bylaw No 1 - 1994 and publicly notifies the Tasman District Council Consolidated Bylaw Chapter 6 - Trading in Streets and Public Places - for the purposes of the special consultative procedure prior to the adoption and ratification of this Bylaw.
CARRIED**

4 LOCAL GOVERNANCE STATEMENT

The Administration Advisor, S Hartley, attended the meeting and spoke to her report of 30 April 2005 which accompanied a copy of Council's updated Local Governance Statement 2005.

**Moved Crs Norriss/Wilkins
CN05/04/04**

**THAT Council adopts the 2005 Tasman District Council Local Governance Statement.
CARRIED**

5 MAYOR'S REPORT OF 4 APRIL 2005

5.1 Tarakohe Harbour Marina

The Mayor spoke about the completion of the first stage Marina development at Tarakohe and the recent official opening function.

5.2 Marine Farming Visit and Aquaculture Development

Mayor Hurley spoke about the tour by Councillors held on 18 March 2005 to marine farms.

**Moved Mayor Hurley/Cr O'Regan
CN05/04/05**

**THAT Council be briefed by staff with a view to progressing aquaculture development.
CARRIED**

5.3 Council's Pensioner Housing Weekly Rental

The Mayor's report referred to an increase of \$2.00 per week for pensioner housing week rentals agreed to at the Community Services Committee meeting.

Moved Mayor Hurley/Cr Inglis

THAT Council should not increase the rentals for Council's cottages by \$2.00 per week and that the status quo applies.

Cr Norriss said that this could be considered as a submission to the draft Annual Plan meeting.

Mayor Hurley disagreed with that suggestion.

A point of order was raised by Cr Higgins. He indicated that the Mayor should follow the Standing Order procedure for revocation of a resolution and noted that the Mayor did not attend that meeting.

Mayor Hurley said that he accepted the point of order and would follow the process to rescind the Community Services Committee resolution.

The motion was not put.

**Moved Crs King/Inglis
CN05/04/06**

**THAT the Mayor's report of 14 April 2005 be received.
CARRIED**

6 MAPUA/RUBY BAY PROTECTION - OLD MILL WALKWAY RESERVE

The Engineering Manager, Mr P Thomson, spoke to his report of 30 March 2005 contained within the agenda and responded to Councillors' questions. The report provided the responses to a public survey in the form of a newsletter, which had been posted out to ratepayers in the targeted area. Mr Thomson provided a cost estimate of \$900,000.00 required to construct a rock revetment and provide urgent erosion protection works along the Old Mill Walkway Reserve.

He said that the work may be completed over about a two year period. The Minister's consent will be required for a restricted coastal activity in the coastal protection area.

Cr Norriss suggested that the rating process needs to be tiered to reflect the benefit gained by the second row of properties back from the Ruby Bay/Mapua foreshore.

Mr Thomson advised that Council ratepayers contributed 20% of the cost for construction of the Ruby Bay rock revetment. He said, however, no formal Council policy exists for the funding of similar projects.

**Moved Crs King/Norriss
CN05/04/07**

THAT Council:

- i) Receives report C404 of 30 March 2005, Mapua/Ruby Bay Foreshore Protection - Old Mill Walkway Reserve, and the findings from the public survey;**

- ii) **Includes in its 2005/2006 Draft Annual Plan, a capital budget of \$900,000.00 for the purposes of constructing a rock revetment along the foreshore of the Old Mill Walkway Esplanade Reserve at Ruby Bay and that Council makes provision to:**
 - a) **use general rates to fund 20% or \$180,000.00 of the capital value of this project through a loan;**
 - b) **use the targeted Mapua stopbank rate to fund up to 47% or \$420,000.00 of the capital value of this project through a loan;**
 - c) **fund at least 33% or \$300,000.00 of this project through direct capital cost contributions from landowners.**

CARRIED

7 CEO'S REPORT FOR MARCH/APRIL 2005

7.1 Trafalgar 200 Celebrations Funding Request

The agenda contained a copy of a resolution from Nelson City Council requesting Tasman District Council to contribute \$20,000.00 to the Battle of Trafalgar 200 commemorations.

**Moved Crs Higgins/Borlase
CN05/04/08**

THAT Tasman District Council confirms its \$20,000.00 contribution to the Bicentenary of the Battle of Trafalgar commemoration.

CARRIED

**Moved Crs Bryant/King
CN05/04/09**

THAT the Nelson City Council \$20,000.00 funding request for commemoration of the Bicentenary of the Battle of Trafalgar be a submission to the Annual Plan process.

CARRIED

**Moved Crs Henry/Currie
CN05/04/10**

THAT the Chief Executive's report for March/April 2005 be received.

CARRIED

8 FUNDING IMPACT STATEMENT

Included in the agenda was a copy of the Funding Impact Statement to be included in Council's Draft 2005/2006 Annual Plan. Included in the Statement were those separate and targeted rates identified and discussed at the Corporate Services Committee meeting held on 24 March 2005. Mr Ward advised that this represented a 6.1% general rating increase.

8.1 Uniform Annual General Charge

The draft Funding Impact Statement proposed a uniform annual general charge of \$150.00 per rating unit.

Cr Norriss suggested that the uniform annual general charge should be increased to \$160.00 and the general rate reduced accordingly.

**Moved Crs Norriss/Borlase
CN05/04/11**

THAT the uniform annual general charge per rating unit be increased by \$10.00 to \$160.00.

CARRIED

Cr O'Regan asked that his vote in opposition be recorded.

**Moved Crs King/Norriss
CN05/04/12**

THAT the Funding Impact Statement and draft 2005/2006 Annual Plan with the uniform annual general charge amended to \$160.00, be adopted for public consultation.

CARRIED

8.2 Rating for Waimea Village and Oakwoods

Cr Henry noted that owners of property within Waimea Village and Oakwoods were required to pay a form of management fee in addition to Council rates.

**Moved Crs Henry/Riley
CN05/04/13**

THAT staff be requested to report to Council on the subject of the payment of both Council rates and internal management fees at Waimea Village and Oakwoods.

CARRIED

9 MACHINERY RESOLUTIONS

Cr O'Regan said he was concerned that the item referring to the aquaculture provisions for the Tasman Resource Management Plan has not yet been considered by the Minister of Conservation.

Mr Bush-King advised that Council's seal was used in conjunction with sending this document to the Minister for consent or approval.

**Moved Crs Norriss/Borlase
CN05/04/14**

THAT the execution of the following documents under the seal of Council be confirmed:

EASEMENTS

G R Angus, J K Angus and D W Farnsworth, right to drain water and sewer in favour of Tasman District Council.

A J Badcock & L S Cummins, easement in gross for right to drain sewage.

B G Richmond Ltd & Windle Bros Ltd, easement in gross for right to drain sewage.

L D Ehau Family Trust, surrender of easement in respect of right of way.

ESPLANADE STRIP

R E Burnett, P M Burnett and D G Pahl, esplanade strip for public access and conservation purpose.

COVENANT

B W Gillespie, construction of new dwelling and once habitable original cottage converted to accessory building.

Kaiteriteri Recreation Reserve Board, to require car parks to be made available for new beach café.

Ben Nevis Holdings Ltd, subdivision condition that lots are not able to transferred, leased or otherwise disposed except in conjunction with each other.

Tasman Resource Management Plan

Aquaculture Provisions of Tasman Resource Management Plan adopted by Council pursuant to Directions from Environment Court.

CARRIED

10 RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Riley/Bryant

CN05/04/15

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

**Motueka Airport
Property Purchase, Richmond**

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to the matters, 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:

Subject	Reasons	Grounds
Motueka Airport	Update	To enable the Committee to carry on, without prejudice or disadvantage, negotiations
Property Purchase, Richmond	Infrastructure development	To enable the Committee to carry on, without prejudice or disadvantage, negotiations

CARRIED

Moved Crs Borlase/Currie

CN05/04/18

THAT the public meeting be resumed.

CARRIED

11 CONFIRMATION OF DECISION FOR DRAG RACING AT MOTUEKA AIRPORT

**Moved Crs Riley/Kempthorne
CN05/04/19**

THAT the following decision having been made in Committee be confirmed in open meeting:

THAT a licence be signed with the Nelson Drag Racing Association according to the terms and with conditions and the associated schedule presented with the Council agenda of 7 April 2005.

CARRIED

Mayor Hurley thanked members for their attendance and the meeting closed at 5.00 pm.

Date Confirmed:

Chair: