

# MINUTES

**TITLE:** Tasman District Council  
**DATE:** Wednesday 17 December 2008  
**TIME:** 1.00 pm  
**VENUE:** Tasman Council Chamber, 189 Queen Street, Richmond  
**PRESENT:** Mayor R G Kempthorne (Chair), Crs S J Borlase, S G Bryant, R G Currie, J L Edgar, B W Ensor, G A Glover, M J Higgins, J L Inglis, T E Norriss, N Riley, E J Wilkins  
**IN ATTENDANCE:** Chief Executive (P Wylie), Strategic Development Manager (S Edwards), Executive Officer – Strategic Development (S Hartley), Executive Assistant (V M Gribble)

## APOLOGIES

Moved Crs Riley/Bryant  
CN08/12/05

**THAT** apologies for absence from Cr T B King and for lateness from Cr B F Dowler, be received.

**CARRIED**

### 1 PUBLIC FORUM

#### 1.1 P Griffith

Ms Griffith advised that 366 years ago tomorrow Abel Tasman arrived in New Zealand. She expressed disappointment that our heritage past is not celebrated.

#### 1.2 R Hellyer

Mr Hellyer apologised to the Chair and Committee of Environment and Planning Committee for speaking at their recent meeting. He asked for assurance that if a meeting is called in the Moutere concerning water, that the meeting will be allowed to be held and not stymied by Council staff.

### 2 CONFIRMATION OF MINUTES

#### 2.1 Tasman District Council – 30 October 2008

Moved Crs Inglis/Borlase  
CN08/12/06

**THAT** the minutes of the meeting of Tasman District Council held on 30 October 2008, containing resolutions numbered CN08/10/05 to CN08/10/15 be confirmed.

**CARRIED**

**2.2 Extraordinary meeting of Tasman District Council – 27 November 2008**

**Moved Crs Riley/Wilkins  
CN08/12/07**

**THAT the minutes of an extraordinary meeting of Tasman District Council held on 27 November 2008, containing resolutions numbered CN08/11/01 to CN08/11/05 be confirmed.**

**CARRIED**

**3 REPORTS**

**3.1 Mayor Kempthorne**

Mayor Kempthorne spoke to his report contained in the agenda. He advised he would give a report on his Australian visit at the next Council meeting.

**Moved Mayor Kempthorne/Cr Wilkins  
CN08/12/08**

**THAT the Mayor's report dated 9 December 2008 be received.**

**CARRIED**

**3.2 Tasman District Council Consolidated Bylaw Chapter 3: Control of Liquor in Public Places: December 2007**

The agenda contained a report that completed the bylaw making process in relation to the review of the Tasman District Council Consolidated Bylaw Chapter 3: Control of Liquor in Public Places: December 2007 (the Bylaw) correcting a small technical error in process, and to ratify a recent amendment of the Bylaw.

**Moved Crs Bryant/Borlase  
CN08/12/09**

**THAT:**

- a) Council adopts the reviewed Tasman District Council Consolidated Bylaw Chapter 3: Control of Liquor in Public Places: December 2007 as intended in CN07/12/04;**
- b) Council ratifies the amendment to the Tasman District Council Consolidated Bylaw Chapter 3: Control of Liquor in Public Places: December 2007 as adopted by the Environment and Planning Committee on 20 November 2008 and detailed in report EP08/11/20.**

**CARRIED**

### **3.3 Policy for Payment of Rates for subsequent financial years**

The report in the agenda sought Council confirmation of the current Policy for Payment of Rates for Subsequent Financial Years for inclusion in the 2009 – 2019 Long Term Council Community Plan.

**Moved Crs Norriss/Ensor  
CN08/12/10**

**THAT the Tasman District Council confirms, without amendment, the current Policy for Payment of Rates for Subsequent Financial Years (as contained in the agenda), for inclusion in the 2009 – 2010 Long Term Council Community Plan.**

**CARRIED**

Cr Dowler arrived at 1.17 pm.

### **3.4 Policy on the Commitment of Council Resources to Partnerships with the Private Sector**

S Edwards and S Hartley were in attendance to speak to the report.

The report contained in the agenda asked Council to consider the adoption of the Policy on the Commitment of Council Resources to Partnerships with the Private Sector, and inclusion of such in the 2009 – 2019 LTCCP.

**Moved Crs Norriss/Riley  
CN08/12/11**

**THAT the Policy on the Commitment of Council Resources to Partnerships with the Private Sector (Appendix B) be adopted for inclusion in Council's 2009 – 2019 Long Term Council Community Plan pursuant to Section 107 of the Local Government Act 2002.**

**CARRIED**

### **3.5 LTCCP Statement on Fostering Maori Participation in Council Decision-making**

A report in the agenda sought Council adoption of a revised Statement on Fostering Maori Participation in Council Decision-making for inclusion in the Long Term Council Community Plan.

Ms Edwards addressed the issues raised by iwi at the hui held at Te Awhina Marae on 8 December 2008 as noted in the supplementary report which had been circulated prior to the meeting.

Clause f) ii) was accepted by general consensus.

Discussion was held on the issue of a Memorandum of Understanding.

Cr Edgar was not in favour of a Memorandum of Understanding as Council already had a policy on fostering Maori Participation in Council decision-making.

Ms Edwards said the Memorandum of Understanding and Action Plan that Nelson City Council has adopted is extensive and will be reviewed on a three-yearly basis.

Cr Higgins asked that clause a) be amended by finishing it after ...both parties.

Cr Norriss understood Council committed to regularly meeting with iwi/Maori at the Te Awhina Marae. They asked for regular meetings with Council. He would like to replace iwi/Maori with Te Awhina.

Cr Borlase supported Cr Edgar and said the policy is a commitment to consultation with iwi.

**Moved Crs Currie/Higgins  
CN08/12/12**

**THAT in accordance with Schedule 10(5) of the Local Government Act 2002 the Council agrees to the Statement on Fostering Maori Participation in Council Decision-making outlined in Appendix 3 (as attached to the supplementary report) as amended, for inclusion in the 2009 – 2019 Long Term Council Community Plan.**

**CARRIED**

Cr Norriss did not vote on this issue.

**3.6 LTCCP Policy on Significance**

The report in the agenda sought Council confirmation of the current Policy on Significance for inclusion into the 2009 – 2019 Long Term Council Community Plan.

**Moved Crs Borlase/Glover  
CN08/12/13**

**THAT the Tasman District Council confirms, without amendment, the current Policy on Significance, as attached in Appendix 1, for inclusion in the 2009 – 2019 Long Term Council Community Plan.**

**CARRIED**

**3.7 Machinery Resolutions**

**Moved Crs Riley/Wilkins  
CN08/12/14**

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

## **DEEDS OF LEASE**

Lewis – 50010L4 – lease of Council premises at Beach Road/Fittal Street.

TDC – lease from Betty de Liefde – for Marahau Fire Station & Community Hall

## **DEEDS OF LICENCE**

Motueka Municipal Band & Motueka Highland Pipe Band – lease of land at Motueka Recreation Centre for bandrooms

Motu Weka Neighbourhood Centre – 41785L1 – lease for Neighbourhood Centre at Motueka Recreation Centre

Takaka Scouts – 11935L7 – scout den at Takaka

## **DEED OF ASSIGNMENT**

Avondale Farm – 41111L3 – Motueka Aerodrome to Avondale Farm Ltd

## **COVENANT**

Driver Projects Ltd – RM040002 – covenant re dwelling – Gardner Valley Road, Upper Moutere

## **DEDICATION OF ROAD**

T & M Sanderson – RM041034 – Kawatiri/TDC boundary – to allow small area 164m<sup>2</sup> to transfer to Council as road.

## **EASEMENTS IN GROSS**

Borcovsky & James – RM040213 – easement in gross to TDC for right to drain water and sewer at George/Fairfax Streets, Murchison

J & E Freeman – RM080347 – easement in gross to TDC for right to drain water at Rototai Road, Takaka

The Lakes at St Arnaud – RM040785 – easement in gross to TDC for right to drain sewerage at Kawatiri

## **CARRIED**

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

**Moved Crs Ensor/Glover  
CN08/12/15**

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

Presentation to Council  
 Richmond Office Alterations  
 Regional Transport Committee – Cultural Interests Representation  
 Waimea Water Augmentation Committee – Property Ownership Structure  
 District Library Richmond  
 Financial Underwrite

**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>Item</b>	<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>
5.1	Presentation from Quotable value	Good reason to withhold exists under section 7	Section 48(1)(a)
5.2	Richmond Office Alterations	Good reason to withhold exists under section 7	Section 48(1)(a)
5.3	Regional Transport Committee – Cultural Interests Representation	Good reason to withhold exists under section 7	Section 48(1)(a)
5.4	Waimea Water Augmentation Committee – Property ownership structure	Good reason to withhold exists under section 7	Section 48(1)(a)
5.5	District Library Richmond	Good reason to withhold exists under section 7	Section 48(1)(a)
5.6	Financial Underwrite	Good reason to withhold exists under section 7	Section 48(1)(a)

**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>Item</b>	<b>Reason to withhold information under Section 7</b>	
5.1	To enable the Council to carry out, without prejudice or disadvantage, negotiations	Section 7(2)(i)
5.2	Richmond Office Alterations	Section 7(2)(i)
5.3	Regional Transport Committee – Cultural Interests Representation	Section 7(2)(i)

5.4	Waimea Water Augmentation Committee – Property ownership structure	Section 7(2)(i)
5.5	District Library Richmond	Section 7(2)(i)
5.6	To enable the Council to carry out, without prejudice or disadvantage, negotiations	Section 7(2)(i)

**CARRIED**

(Refer to Confidential Minutes resolutions numbered CN08/12/16 to CN08/12/19).

**Moved Crs Bryant/Edgar  
CN08/12/20**

**THAT public meeting be resumed  
CARRIED**

The meeting concluded at 3.50 pm.

Chair:

Date: