

MINUTES

TITLE: Tasman District Council
DATE: Thursday 17 December 2009
TIME: 9.30 am
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 and E J Wilkins

IN ATTENDANCE: Chief Executive (P Wylie), Corporate Services Manager (M Staite), Engineering Manager (P Thomson), Utilities Asset Manager (J Cuthbertson), Administration Officer (J A Proctor)

APOLOGIES

Moved Crs Edgar/Glover
CN09/12/04

**THAT apologies from Crs Riley, King and Dowler for absence and Cr Norriss for lateness be sustained.
CARRIED**

1 PUBLIC FORUM

Mrs Ruby Aberhart, ONZM QSM spoke regarding the positive ageing plan initiatives within the Nelson and Tasman area, and thanked the Tasman District Council for their support at the Positive Ageing Forums.

Mrs P Griffith spoke regarding the opportunities available to recognise the close historical connection that the Tasman district had with Abel Tasman. Mrs Griffith stated that there were no heritage sites in the Tasman area identified in the Nelson Tasman official guide to the area.

Mr S G Bryant presented a power point presentation on the antics of a visiting cyclist to the Tasman region.

2 CONFIRMATION OF MINUTES

2.1 Extraordinary Council – 19 November 2009

**Moved Crs Higgins/Glover
CN09/12/05**

THAT the minutes of the Extraordinary Council meeting held on 19 November 2009, containing resolution CN09/1104 be confirmed as a true and complete record.

CARRIED

2.2 Extraordinary Council – 1 December 2009

**Moved Crs Ensor/Inglis
CN09/12/06**

THAT the minutes of the Extraordinary Council meeting held on 1 December 2009 containing resolutions CN09/12/01 to CN09/12/03 be confirmed as a true and complete record.

CARRIED

3 REPORTS

3.1 Mayor's Report – RCN091217

The Mayor, Mr Kempthorne spoke to his report contained in the agenda.

Councillors requested that the auditors attend an Audit Subcommittee meeting in 2010 and staff advised that this was being coordinated.

Mayor Kempthorne provided an update following his meeting with MP and Minister of Local Government Rodney Hide.

Councillors asked that venues for Resource Consent hearings were researched thoroughly to ensure that they were suitable.

Councillors stated that when appropriate, it was acceptable to question the Chair of Resource Consent hearings to ascertain their reasoning behind decisions.

A discussion took place regarding the Councillors Code of Conduct.

**Moved Crs Ensor/Glover
CN09/12/07**

THAT the Mayor's report reference RCN091217 be received.

CARRIED

3.2 Joint Appointment of Directors/Trustees

Corporate Services Manager, Mr Staite spoke to his report contained in the agenda.

The purpose of the report was to consider and discuss a variation to the terms of reference relating to the appointment of joint directors/trustees.

**Moved Crs Edgar/Glover
CN09/12/08**

THAT the procedure for the Joint appointment of Directors/Trustees, which was recommended by the Combined Shareholders Group at its meeting on 18 September 2009 for adoption by the two Councils be amended by adding the following as clause 8:

8. Variation of Procedure

8.1 The procedure outlined in this policy may be varied to meet the requirements of the Organization's rules, constitution, trust or other guiding document, provided that such variation meets the requirements of the Local Government Act 2002.

And that this recommendation be subject to the same resolution being passed by the Nelson City Council.

CARRIED

3.3 Machinery Resolutions

**Moved Crs Bryant/Ensor
CN09/12/09**

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

DEEDS

Daelyn Holdings – agreement for TDC to put water meter and backflow prevention system at Daelyn Road, Richmond.

LEASES

TDC from Coman Holdings – 10 year lease of 5 Elm Street, Wakatu Estate for storage facility.

Pohara Store – Deed of Lease – 11605L2 – renewal of lease to M B Hargreaves.

Graham Thomas Resource Consultants – Deed of Lease – 52505L2 – 6 year lease of TDC owned building, 9 Cambridge Street, Richmond.

Waimea Pony Club – 5 year grazing lease at Robson Reserve.

M Hargreaves – S & R Martin – 11605L2 – Assignment of Lease of Pohara General Store.

EASEMENT

Fairose Holdings – RM070804 – easement in gross in favour to TDC for the right to drain sewage.

BYLAW

Chapter 4 – Speed Limit Bylaw 2004 – amendment

Chapter 10 – Water Supply Bylaw 2010

LICENCE

Appleby Hills Residents Association – licence to lay water and sewage pipes under land that will vest with Council.

CONSENT

J, A & I Trewavas – RM010493 – encumbrance as part of subdivision conditions preventing the erection of a dwelling on the site.

CARRIED

4 BELLS ISLAND PIPELINE UPDATE

Cr Norriss arrived at the meeting at 11.23 am.

Corporate Services Manager, Mr Staite spoke to his report contained in the agenda.

The purpose of the report was to consider the recommendation of the Combined Shareholders Group (the group) in regard to the Nelson Regional Sewerage Business Unit (NRSBU) proposed upgrade.

In response to questioning, councillors were advised that iwi representatives had been invited to attend NRSBU meetings as non voting attendees which would enable them to gain a greater understanding of the project. Staff confirmed that there was a formal standing invitation to iwi to attend meetings and that it was at the Chairman's discretion if they were given speaking rights. Staff confirmed that they were permitted to attend meetings but could not be members of the NRSBU committee.

Councillors made reference to the benefits of having iwi support as evidenced with the WWAC project.

Cr Higgins confirmed that the NRSBU was making provision to further develop the plant on Bells Island. Cr Higgins spoke to the resolution and stated that the DN800 700mm pipeline which had been recommended sometime ago, had been through a lengthy discussion process. It had been a rigorous and much needed process and that the pipe size chosen provided confidence to all involved in the project. Cr Higgins continued that in his opinion there was no longer a requirement for a ring system and that going forward the route chosen was the best option.

Moved Crs Borlase/Ensr
CN09/12/10

- i. **THAT** the NRSBU proceed with an application for resource consent to duplicate the pipeline crossing the estuary from Monaco to Bells Island.
- ii. **THAT** a DN800 (700mm approximately, internal diameter) duplicate pipeline be installed
- iii. **THAT** the duplicate pipeline and associated pump station upgrade works be constructed as soon as the resource consent is obtained.
- iv. **THAT** the existing pipeline not be decommissioned or removed in the foreseeable future.
- v. **THAT** an archaeological study of the pipeline route and the identified site on Bells Island be undertaken and the pipeline route avoid the identified archaeological sites on Saxton and Bells Islands.
- vi. **THAT** the NRSBU continue its investigations into an appropriate long term pipeline upgrade strategy such that a strategy is confirmed by both Councils before the duplicate pipes across the estuary reach their capacity.
- vii. **THAT** iwi be invited to appoint a non-voting representative to attend the meetings of the Board of the NRSBU.

THAT this resolution be subject to the Nelson City Council passing a similar resolution.

CARRIED

Moved Crs Norriss/ Glover
CN09/12/11

THAT the public be excluded from the following part(s) of the proceedings of this meeting, namely.

Tourism Nelson Tasman Ltd – Reappointment of Director
Nelson Airport Ltd – Reappointment of Director
Petition to Local Government and Environment Committee

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:

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
Tourism Nelson Tasman Ltd – Reappointment of Director	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Nelson Airport Ltd – Reappointment of Director	Good reason to withhold exists under section 7	Section 48(1)(a)(i)
Petition to Local Government and Environment Committee	Good reason to withhold exists under section 7	Section 48(1)(a)(i)

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:

Reason to withhold information under Section 7	Section
Enable any local authority holding the information to carry one, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

CARRIED

(Refer to Confidential Minute Book resolutions numbered CN09/12/12 to CN09/12/14).

**Moved Crs Edgar/Borlase
CN09/12/15**

**THAT public meeting be resumed.
CARRIED**

The meeting concluded at 11.51 am.

Date Confirmed:

Chair: